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Implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

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Report of the Secretary-General

Summary

The present report, submitted pursuant to paragraph 17 of General Assembly resolution 72/226, provides an overview of the activities of the United Nations Human Settlements Programme (UN-Habitat) since the issuance of the previous report of the Secretary-General on the implementation of the outcomes of the United Nations Conferences on Human Settlements and on Housing and Sustainable Urban Development and on the strengthening of UN-Habitat, including the implementation of the New Urban Agenda and achievement of the Sustainable Development Goals (A/72/311).

The report summarizes the activities undertaken by UN-Habitat during the reporting period at the global, regional, national and subnational levels; presents a thematic and regional overview of the programme's seven subprogrammes and cross-cutting issues; and provides an update on the work of the Member States-led deliberations on strengthening their oversight of UN-Habitat, in particular through the open-ended Working Group established pursuant to General Assembly resolution 72/226.

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I. Introduction

1. The present report, submitted pursuant to paragraph 17 of General Assembly resolution 72/226, provides an overview of the activities of the United Nations Human Settlements Programme (UN-Habitat) since the issuance of the previous report of the Secretary-General on the implementation of the outcomes of the United Nations Conferences on Human Settlement and on Housing and Sustainable Urban Development and on the strengthening of UN-Habitat, including the implementation of the New Urban Agenda (A/72/311).

2. Following the arrival of the new Executive Director of UN-Habitat, Maimunah Mohd Sharif, in January 2018, the programme embarked on a change exercise with the objective of making UN-Habitat fit-for-purpose and maximizing its value added to United Nations system-wide efforts in order to effectively support Member States as they tackle the challenges of sustainable urbanization. The expected outcome of this process is a UN-Habitat that (a) is trusted, transparent and accountable; (b) operates effectively, efficiently and collaboratively; and (c) uses its expertise in a way that is relevant, valued and in demand.

II. Governance of UN-Habitat: work of the Governing Council and its intersessional and subsidiary bodies

A. Committee of Permanent Representatives

3. During the reporting period, the Committee of Permanent Representatives, the intersessional body of the Governing Council of UN-Habitat, held its 66th, 67th, 68th and 69th regular meetings on 27 September and 14 December 2017 and 21 March and 21 June 2018, respectively. At its 67th regular meeting, the Committee elected its new Bureau for the period 2018–2019 and elected Brazil as Chair; Malawi, the Republic of Korea and Serbia as Vice-Chairs and the United States of America as Rapporteur. The Committee expressed appreciation for the work of the outgoing Bureau, in particularly its Chair (Rwanda), and bid farewell to the outgoing Executive Director, Joan Clos. At its 68th regular meeting, the Committee formally welcomed the new Executive Director, Maimunah Mohd Sharif.

4. During the reporting period, the Committee monitored the implementation of Governing Council resolutions, including through the work of its subcommittees. In line with resolution 26/3 (2017) of the Governing Council, the Committee continued to monitor the implementation of the UN-Habitat strategic plan 2014–2019 and reviewed the annual progress report on the implementation of the strategic plan for the 2017.

B. Open-ended Working Group

5. The open-ended Working Group was established by the Chair of the Committee of Permanent Representatives to UN-Habitat, in response to the request of the General Assembly in paragraph 6 of its resolution 72/226, to examine different options for strengthening oversight of UN-Habitat by Member States, including but not limited to new governance options presented in the New Urban Agenda and the High-level Independent Panel to Assess and Enhance the Effectiveness of UN-Habitat. In the same resolution, the Assembly advanced the possible establishment of a focused Executive Board or a universal Urban Assembly structure and decided that the mandate of the Working Group should also include consideration of the

appropriateness of financial rules and regulations and of personnel, procurement and budgetary matters for the most effective functioning of UN-Habitat.

6. The Working Group held eight formal meetings between 26 February and 18 June 2018. In addition to the formal meetings, an informal "Friends of the Chair" group was established, which met three times between 6 and 18 June 2018.

7. At its 8th and final meeting held on 18 June 2018, the Working Group agreed on a document entitled "Findings and Recommendations of the Open-ended Working Group", which, inter alia, proposed a hybrid option of governance for strengthening Member States oversight of UN-Habitat. The "Findings and Recommendations" document was shared with the Committee of Permanent Representatives on an informational basis at its 69th regular meeting on 21 June 2018. Pursuant to General Assembly resolution 72/226, the Chair of the Committee transmitted the findings and recommendations of the open-ended Working Group to the Assembly on 26 June 2018 for consideration at its seventy-third session.

C. Working group on programme and budget

8. In May 2017, the mandate of the working group on programme and budget, originally established in 2015 by the UN-Habitat Governing Council in its resolution 25/7, was extended for two years by Governing Council resolution 26/1. Regional groups renewed their representation to the Group by reconfirming their representatives or electing new ones. Over the reporting period, the working group held one formal meeting, on 11 and 12 October 2017. At that meeting, the group discussed (a) the financial situation and the budget report of UN-Habitat; (b) the programme implementation of the UN-Habitat strategic plan 2014–2019; (c) the work of the High-level Independent Panel to Assess and Enhance the Effectiveness of UN-Habitat; (d) the UN-Habitat account for 2016; (e) and the implementation of the recommendations of the working group to the Executive Director. The working group is expected to actively resume its deliberations during the second half of 2018, following the conclusion of the work of the open-ended Working Group.

III. Update on financial developments

9. During the reporting period, UN-Habitat continued to work on strengthening its financing structures. In this context, the newly appointed Executive Director led strategic dialogues with Member States during the ninth session of the World Urban Forum, including through discussions with members of the Committee of Permanent Representatives and bilateral meetings with Government ministers on the organization's governance and reforms. In March 2018, the Executive Director held a consultative dialogue with key donors from Germany, Japan, Norway, Sweden and the United States, as well as with representatives of the European Union. Feedback was positive and promising, especially on the need for core resources. Following the personal engagement of the new Executive Director, some Member States expressed interest in providing financial support for the change agenda, in particular to strengthen the efforts of UN-Habitat in its focal point role in supporting the implementation of the New Urban Agenda and delivery of the urban dimensions of the Sustainable Development Goals. This resulted in some financial pledges for institutional reforms.

10. Meanwhile, demand for UN-Habitat's support on country programmes and for its normative services and products remained strong. New income acquired[1] for the 2016–2017 biennium for earmarked normative programmes (special purpose account of the Habitat and Human Settlements Foundation) exceeded the biennial budget by 28 per cent, while income for regional and country programmes (technical cooperation) stood at 89 per cent of the biennial budget. As at June 2018, contributions for earmarked programmes stood at $112.2 million, 8 per cent higher than the previous year, showing continuing growth in demand for the organization's assistance in urban programmes.

11. Although in 2017, voluntary non-earmarked contributions increased by 13 per cent, from $2.3 to $2.7 million, and four new government partners made voluntary non-earmarked contributions to the general purpose account of the Habitat and Human Settlements Foundation, a significant shortage in this area persists. Some Governments continued to link future non-earmarked contributions to the successful completion of governance reforms. As of June 2018, non-earmarked contributions stood at $1.1 million, representing only 8 per cent of the annual budget of UN-Habitat of $13 million. In view of the significant shortfall, the organization initiated financial reforms and austerity measures to bring expenditure on the general purpose account in line with revenue and made efforts to improve systems and processes to enhance efficiency, transparency and accountability.

IV. Activities at the global level

A. 2030 Agenda for Sustainable Development and the Sustainable Development Goals

12. In order to localize the New Urban Agenda and urban-related targets and indicators of the Sustainable Development Goals, UN-Habitat continued to develop innovative methods, approaches and guidelines for data collection, analysis and monitoring of implementation.[2] The organization has conducted training in over 50 countries on the disaggregation of quantitative and qualitative data, including gender and sex indicators, to inform urban policymaking and ensure that no one, and no place, is left behind.

13. Taking advantage of its unique role in carrying out both normative and operational work, and the long-standing cooperation with various countries and development partners, UN-Habitat continues to refine its tools for effective knowledge-sharing and policy guidance. Using its experience in providing technical support to countries that are formulating national urban policies[3] and related plans, UN-Habitat has helped to optimize urban planning models to maximize economic productivity, resource efficiency and social integration.

14. Global UN-Habitat programmes, including the City Prosperity Initiative, the City Resilience Profiling Programme, the Safer Cities Programme and the Global Land Tool Network, are potential tools for countries and cities to connect data and information to decision-making. The City Prosperity Initiative is a global initiative

[1] Income acquired rather than revenue is quoted to represent the full value of earmarked agreements signed with development partners.

[2] See United Nations Human Settlements Programme (UN-Habitat) (2016), "Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable" (metadata report on Goal 11 indicators).

[3] See UN-Habitat and the Organization for Economic Cooperation and Development (OECD) (2018), *Global State of National Urban Policy*, 76 of the 150 countries analysed have adopted explicit national urban policies with strong connections to the New Urban Agenda.

based on a composite index made up of six dimensions designed to provide city authorities, investors and other stakeholders with the data and information necessary for adopting more informed and comprehensive policies.[4] The Initiative can be adapted to national and local levels, providing a general framework that allows cities, countries and the international community to measure progress and identify possible constraints in the growth of cities. The City Resilience Profiling Programme reorients the conventional understanding of risk reduction towards a holistic diagnosis of the concept of "the city". This people-centred approach, which produces profiles and not indexes, is action-oriented, providing a framework for local governments to collect data, evaluate it and generate a resilience profile that is unique to the urban context of each individual city. The Global Land Tool Network is an alliance of partners (international civil society organizations, research and training institutions, bilateral and multilateral organizations and international professional bodies) committed to increasing access to land and tenure security for all, with a particular focus on the poor and women. Together, partners work towards poverty alleviation and inclusive development through land reform, improved land management and security of tenure, enabled by land information systems. These tools and knowledge-sharing by UN-Habitat advance the understanding of the importance of spatial analyses and city-based data and information for evidence-based decisions.

15. During 2017, UN-Habitat adopted an incremental and inclusive process for the production, management and dissemination of qualitative and quantitative data and information in order to depict global urbanization trends and conditions and to obtain a better understanding of the nature of emerging issues. This mechanism builds on existing efforts led by the Department of Economic and Social Affairs and the United Nations Statistics Division, as well as the work of other United Nations entities and development partners.

16. As part of global monitoring and reporting systems, UN-Habitat will continue to support countries and development partners in the preparation of national and local reports through an incremental approach that focuses on four interrelated elements: (a) reinforcing systems for the production of user-friendly and participatory data platforms; (b) building on existing dynamic platforms for engagement, participation and partnership, and integrating partners into the process to produce data, knowledge and reporting; (c) strengthening partnerships with relevant entities of the United Nations system to ensure a system-wide coordination mechanism; and (d) developing capacities to monitor and report on the global urban agendas.

17. The first in a series of five quadrennial reports on the progress on the implementation of the New Urban Agenda was considered by the Economic and Social Council in July 2018 (A/73/83-E/2018/62). The report was supported by a synthesis report,[5] profiling progress in the implementation of Goal 11, which was discussed as part of the 2018 high-level political forum on sustainable development. Jointly, the two reports are a key component of the follow-up and review of the implementation of the 2030 Agenda, the New Urban Agenda and other regional urban agendas. Both reports highlight the need for the global community to confront several emerging urban challenges, including the urgent need to halt uncontrolled urban sprawl, reverse the growth of urban slum populations, institute smart, safe and efficient urban transport systems, improve urban environments through creating safe public spaces, manage air pollution and municipal solid waste and promote sustainable buildings, ecosystem corridors and consumption and production patterns. The Goal 11 synthesis report acknowledges the need for countries to monitor

[4] The City Prosperity Initiative is currently being implemented in more than 500 cities across the world.

[5] See https://sustainabledevelopment.un.org/content/documents/194452018_HLPF_Thematic_Review_of_SDG_11_UNHabitat_12_June_2018_original.pdf.

implementation locally, but to report progress on cities and human settlements at the national level since as urban issues are an entry-point for deliberation on many other Sustainable Development Goals and targets.

18. UN-Habitat prepared the two reports in close consultation with other entities of the United Nations system, Member States and partners, including by convening an open partners' meeting to produce the quadrennial report during the ninth session of the World Urban Forum, held in Kuala Lumpur from 7 to 13 February 2018. More than 40 partners participated in the preliminary meeting, during which a permanent working team was created to integrate inputs into the report. A second partner consultation in the form of an expert group meeting was organized in Granada, Spain, from 20 to 23 March 2018. Attendees, including representatives of all five United Nations regional commissions and 30 development and research partners, participated in a participatory drafting process for the report. United Nations specialized agencies were given an opportunity to review the first full draft, and over 20 United Nations entities contributed to the report. These contributions were recorded in a separate document.[6]

B. World Urban Forum

19. The World Urban Forum, established by the General Assembly in its resolutions 56/205 and 56/206 and convened by UN-Habitat biennially since 2002, is the world's premier conference on cities and sustainable urbanization. The ninth session of the Urban Forum, in 2018, focused on the theme "Cities 2030 — Cities for All: Implementing the New Urban Agenda". The Forum is a highly participatory, non-legislative United Nations conference: some 75 per cent of the estimated 23,000 participants identified with a stakeholder group, and some 40 per cent were under 32 years of age.

20. The ninth session of the World Urban Forum provided stakeholders with a space to meet with government representatives, mayors, local leaders and United Nations officials, as well as representatives of other international organizations, to discuss how cities and towns can be better planned and managed, and to carry out their role as drivers of sustainable development. The outcome of over 500 events is reflected in the Kuala Lumpur Declaration on Cities 2030,[7] which places a strong focus on arrangements and actions for the implementation of the New Urban Agenda. Many delegates and participants emphasized the importance of public, private and civil society cooperation in order to fully achieve the goals of the New Urban Agenda. A report on the ninth session will be presented to the UN-Habitat Governing Council in April 2019.

21. The tenth session of the World Urban Forum will be hosted by Abu Dhabi in 2020.

C. World Habitat Day and World Cities Day

22. World Habitat Day 2017, celebrated on 2 October 2017 under the theme "Housing Policies: Affordable Homes", underscored the housing needs of the poorest and most vulnerable. The theme sought to underscore the role of sound housing policies in meeting challenges related to climate change, energy consumption, mobility and resilience.

[6] Available at: http://habitat3.org/the-new-urban-agenda/.
[7] Available at: http://wuf9.org/kuala-lumpur-declaration/.

23. The theme of World Cities Day, held on 31 October 2017, "Innovative Governance, Open Cities", emphasized the role of technology, innovative practices in urban planning, building and management and the implementation of the New Urban Agenda. The global observance of the day was held in Guangzhou, China, with a World Cities Day Forum, an exhibition on innovative city governance practices and other activities.

D. World Urban Campaign

24. The World Urban Campaign continued to engage urban stakeholders and UN-Habitat partners during 2017 by conducting, inter alia, a new "Urban Thinkers Campus" series, engaging more than 20,000 individuals across the globe in 59 partner-led events. Activities focused on the development of action plans for the implementation of the New Urban Agenda and achieving the Sustainable Development Goals. In its video series "Urban thinkers voices", the Campaign interviewed key urban stakeholders on their views on "The City We Need".

E. Other partnership activities

25. During the reporting period, UN-Habitat finalized a stakeholder engagement policy and collaborative mechanism, as mandated by the Governing Council of UN-Habitat at its twenty-sixth session in May 2017. A voluntary reference group on a stakeholder collaborative framework was established to support this process. Separately, on 28 and 29 November 2017, UN-Habitat, in partnership with the Economic and Social Commission for Asia and the Pacific, organized an Asia and Pacific regional partners workshop on the New Urban Agenda, which identified data collection and municipal finance as critical areas of work. Partnership events were also organized at the ninth session of the World Urban Forum, including a special session on inclusive multi-stakeholder platforms, a dialogue on multi-stakeholder transformative partnerships and strengthening partnerships for the implementation of the New Urban Agenda for representatives of grassroots and informal sector organizations.

V. Outcomes at the regional, national and subnational levels in support of the implementation of the New Urban Agenda

A. Cooperation with the regional commissions

26. During the reporting period, UN-Habitat continued to work closely with the five regional commissions of the Organization, and supported regional ministerial conferences in Africa, the Arab States, Asia and the Pacific and Latin America and the Caribbean. The commissions are key partners in reaching out to Member States, civil society and other urban stakeholders in the regions for the effective implementation of the New Urban Agenda and Sustainable Development Goal 11 on sustainable cities and communities.

27. In 2017, in the Asia and the Pacific region, UN-Habitat participated in the United Nations Development Group Task Team on Urbanization, including the conduct of a review, with the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Food and Agricultural Organization of the United Nations (FAO) as co-chairs, of progress towards the targets established in the New Urban Agenda and the localization of the Sustainable Development Goals. UN-Habitat also collaborated with ESCAP to organize a regional partners consultation and a regional partners forum,

which focused on local financing and improved data for the implementation of the New Urban Agenda. UN-Habitat and ESCAP also continued their cooperation on the joint implementation of a regional project on integrating climate change into national urban policies and contributed to the development of a plan of action on the environment for the Association of Southeast Asian Nations. UN-Habitat and ESCAP have established a multi-partner collaboration to prepare the next regional "State of Cities" report for the Asia-Pacific under the UN-Habitat series, which will support the Asia-Pacific Urban Forum to be held in 2019.

28. In Africa, UN-Habitat supported the efforts of the Economic Commission for Africa (ECA) to integrate urbanization into national development planning, with a focus on strengthening economic and spatial policies. A ministerial dialogue on the implementation of the New Urban Agenda, organized by UN-Habitat in May 2017, provided negotiated inputs into the harmonized regional framework for the implementation and monitoring of the New Urban Agenda in Africa, which aligns "Agenda 2063: The Africa We Want" of the African Union and Sustainable Development Goal 11. UN-Habitat, the African Development Bank and the Institute for Housing and Urban Development Studies of Erasmus University (Rotterdam, the Netherlands), with strategic guidance from ECA, completed a research partnership on foreign direct investments in African cities, published in the regional "State of Cities" report under the UN-Habitat series.

29. During the reporting period, in a joint effort, the League of Arab States, Arab Member States and the Economic and Social Commission for Western Asia (ESCWA), with the technical assistance of UN-Habitat, designed the Arab Strategy for Housing and Sustainable Urban Development 2030 and its implementation plan as a regional framework for the implementation of the urban Sustainable Development Goals and the New Urban Agenda to support the alignment of local and national development plans. UN-Habitat is also a member of the regional United Nations task force for the annual Arab Forum for Sustainable Development.

30. In the Latin America and the Caribbean region, UN-Habitat has established a solid collaboration with the Economic Commission for Latin America and the Caribbean (ECLAC) on the implementation of the New Urban Agenda. In 2017, UN-Habitat worked closely with the Conference of Ministers of Housing and Urban Development of Latin America and the Caribbean, other United Nations entities and ECLAC to formulate a regional action plan for the implementation of the New Urban Agenda. In Cuba, Mexico and in the Caribbean, UN-Habitat worked with the World Bank, other United Nations agencies, ECLAC and the General Assembly of Ministers of Housing and Urban Development of Latin America and the Caribbean on localizing Sustainable Development Goals in the subregion. In the housing sector, a multi-stakeholder Urban Housing Practitioners Hub has become a key partners' platform in the region to support the housing targets set out in the New Urban Agenda.

31. Within the Economic Commission for Europe (ECE), UN-Habitat carried out a review of housing and regulatory policies in Albania, Bulgaria, Georgia, Kyrgyzstan and Ukraine, including a discussion of concrete legal provisions to create incentives for, inter alia, energy efficiency, inclusive zoning, housing finance and or social housing for the most vulnerable. UN-Habitat has also partnered with ECE and the International Telecommunication Union in its "United 4 Smart Sustainable Cities" initiative that is being implemented to address major urban issues in medium-sized cities.

B. Normative and operational work at the regional, national and subnational levels

Thematic work

32. UN-Habitat supports several countries, including Afghanistan, Bolivia (Plurinational State of), Cameroon, Cuba, Egypt and the Philippines, in adopting integrated approaches to the implementation of the New Urban Agenda to address the urban dimensions of Sustainable Development Goals. In terms of the New Urban Agenda and the local implementation of the urban Goals, effective governance refers to the central role of local and regional governments in urban policy development, ensuring that human settlements promote sustainable development. As the focal point for local and regional governments in the United Nations, UN-Habitat benefits from its long-standing collaboration with them and their regional and global associations to localize the urban-related Goals and to implement the New Urban Agenda. In 2017, based on a strong demand from local governments and their networks for practical tools for localizing the Goals, UN-Habitat collaborated with the United Nations Development Programme (UNDP) and United Cities and Local Governments to launch a Knowledge Platform for Localizing the Sustainable Development Goals.[8] UNDP and UN-Habitat also collaborated with the Global Taskforce of Local and Regional Governments to build capacities of local authorities to make better use of data and monitoring systems in the implementation of the New Urban Agenda. UN-Habitat also continued to document urban governance trends[9] and innovative practices.

33. Local and regional governments are already producing data and information as evidence of global progress on the New Urban Agenda. Voluntary national monitoring efforts are supported by many local governments and their collaboration platforms, including the Global Task Force of Local and Regional Governments, supported by United Cities and Local Governments. In 2017, 375 local governments and 374 urban observatories used UN-Habitat's flagship reports and best practices databases as policy guidance, while 52 partner national statistics offices used UN-Habitat tools and guidelines for urban data management. In addition to knowledge-sharing, UN-Habitat strengthened governance capacities by facilitating national dialogues between urban institutions on policy reforms and institutional restructuring and strengthened the capacity of local and regional governments to engage participants in multi-level approaches, including through support for the activities of the World Assembly of Local and Regional Governments.

34. The planning, management and governance of safety in cities, especially in non-conflict countries, is an essential component for an environmentally sound, socially equitable and economically strong future for cities and countries. Effective crime prevention and safety enhances investments, valorizes assets and promotes competitiveness. The Safer Cities Programme continued to assist city authorities and their partners to design citywide crime prevention and urban safety governance policies and programmes in line with the New Urban Agenda, linking the safety-related targets of Sustainable Development Goal 11 with Goals 3, 5 and 16. While cities, countries and implementing partners in the Global Network on Safer Cities initiative are finalizing new United Nations system-wide guidelines on safer cities, lead pilot countries (Mexico, South Africa and South Korea) have been identified that will review their current urban safety and security policies at both the national and local levels, paying attention to prevention, participation and social cohesion to ensure alignment with the New Urban Agenda as well as to measure progress towards

[8] See: www.localizingthesdgs.org.

[9] See: www.urbangovernance.net.

implementing measures to ensure safety in cities. In this regard, South Africa has adopted the approach set out in the UN-Habitat Safer Cities programme and has mainstreamed safety indicators across the nine levers of change within its Integrated Urban Development Framework. UN-Habitat also provides technical support by helping implement the city safety index in Durban through a data-driven "urban safety governance in informal settlements" initiative to serve as pre-investment capacity-building to large-scale infrastructure upgrading.

35. The regional and territorial planning work of UN-Habitat supports the implementation of the New Urban Agenda at the regional and territorial levels, thus ensuring the full alignment of its operational and normative work in urban planning — from normative to project implementation — with the New Urban Agenda, and ensuring that progress is clearly measurable. At the national level, urban policies are key instruments in promoting potential contributions of urban centres to national development. As reported by UN-Habitat and OECD, [10] 76 out of 150 countries analysed have adopted explicit national urban policies with strong connections to the New Urban Agenda. UN-Habitat continued to work towards increasing the implementation and monitoring capacities of national urban policies as well as increasing the number of high quality national urban policies adopted. The process of developing national urban policies in several Arab countries (Egypt, Jordan, Lebanon, Morocco, Saudi Arabia, the Sudan and Tunisia) has been fundamental in rethinking how Arab countries manage urban development.

36. During 2017, the UN-Habitat International Guidelines on Urban and Territorial Planning were further applied for effective spatial planning and in order to provide a set of recommendations for compact, socially inclusive, integrated, connected and climate-resilient cities and territories. Using the International Guidelines, several cities are integrating spatial or territorial dimensions into their existing planning systems, and others are creating new spatial planning systems. The value of better spatial planning for urban transformations is shown, for example, in the increased level of interest on the part of rapidly urbanizing Asian countries.

37. At the subnational level, UN-Habitat has also promoted integrated urban strategies and place-based interventions to achieve the targets of the New Urban Agenda, supporting the efforts of cities to achieve more efficient land use with planned city extensions and infills. Ghana, for example, is carrying out a planned city extension project in the Accra metropolitan area, while cities in Belize, Comoros, Kenya, the Philippines and Somalia are in the process of developing such strategies. UN-Habitat also continued its integrated settlement planning initiatives, including its initiative in Kalobeyei, Kenya.

38. During the reporting period, some Member States expressed interest in reviewing their legal and policy frameworks to align them with the New Urban Agenda, a time-consuming and costly effort if it is to be done effectively. Opportunities to address the more difficult political choices, particularly on the impact of development in equality and sustainable urban finance, remain elusive. The Planning Law Assessment Framework and Informal Settlements Law Assessment Framework developed by UN-Habitat are two tools that integrate several targets of Sustainable Development Goals 10 and 16, towards sustainability in Goal 11. In addition, UN-Habitat strengthened its "Urban Lex" legal instrument database during 2017.

39. UN-Habitat continued to assist city authorities and their partners in designing local economic development plans and strategies for effective municipal financing. The Global Municipal Database, a new online data resource on local financing

[10] UN-Habitat, OECD (2018), *Global State of National Urban Policy*.

designed by UN-Habitat and the Lincoln Institute, helps to monitor change in subnational financial resources and analyse finance at the local level.

40. In 2017, UN-Habitat promoted its "Housing at the Centre" approach, shifting the paradigm to increase awareness about the right to adequate housing and promote access for all to adequate, safe and affordable housing. This approach goes beyond physically building houses to focus on a comprehensive framework for housing development, taking socioeconomic factors into account. It seeks to position housing firmly within national development policies, and at the local level and reinforces the importance of inclusive housing for urban and human settlement planning. As part of its Global Housing Strategy, UN-Habitat has worked with close to 40 countries to integrate this housing approach into national legislation for the benefit of the most vulnerable.

41. Examples of UN-Habitats projects in the housing sector over the reporting period show that by broadening the concept of housing from the construction of buildings to social and economic development, housing and slum upgrading initiatives support inclusive, sustainable development in communities. In Sri Lanka, for instance, technical cooperation, best practices and tools were developed through a participatory process, resulting in a community-led construction project that built 45,000 houses and created formal employment and skills in the construction sector for youth and women. It also better integrated internally displaced persons by improving access to community facilities and infrastructure. The UN-Habitat Participatory Slum Upgrading Programme continued to support inclusive policies and strengthened the financing capacities of national and local governments and slum-dweller groups.

42. In Afghanistan, collaboration between the Government and UN-Habitat resulted in "The City for All" initiative, part of the new "Inclusive Cities" programme in Afghanistan. The initiative, which will provide 1.3 million people with security of tenure, positions Afghan cities as catalysts for State- and peacebuilding by facilitating State-society relations.

43. All UN-Habitat programmes in urban basic services have, at their core, the human rights-based approach with its emphasis on the principles of equality, non-discrimination, inclusion and participation, and the need to pay attention to the needs and priorities of the most marginalized and disadvantaged groups. UN-Habitat hopes to mobilize $60 million over the next five years through the Urban Basic Services Trust Fund to improve urban basic services provision in over 40 countries, and to build the capacity of over 300 service providers. The Trust Fund will also implement field pilot projects, mostly for the benefit of the urban poor in Africa, Asia and Latin America and the Caribbean. The Global Water Operators Partnerships Alliance, hosted by UN-Habitat, is an example of urban services sector cooperation with governments at all levels. The work of the Alliance, which is being harmonized with the New Urban Agenda, is to equip water utilities to make the right to water and sanitation a reality by providing knowledge and capacity support to public water operators. The Alliance has strengthened its global, regional, national and local mechanisms financially and operationally to fill the capacity gap and help to meet Sustainable Development Goal 6 (clean water and sanitation). In the area of urban mobility, UN-Habitat initiated work on planning for a rapid bus system in Cairo, with financial support from the national Government and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

44. In carrying out its crisis response and recovery efforts, UN-Habitat has maintained its primary focus on pre-crisis resilience-building. By engaging local authorities and working with and supporting communities, UN-Habitat has been able to strengthen the involvement of women and youth in this area, based on the principle

of "leave no one behind and reach those furthest behind first". Most of the world's refugees and internally displaced population are not living in humanitarian camps but in cities. As such, UN-Habitat's partnership with local authorities and governance structures is critical for sustainable settlement. To support the many actors who have begun to understand the need for a human-rights based human settlements approach in humanitarian camp settings, UN-Habitat is developing tools and approaches to ensure that camps are more appropriately located with a view to making the settlements "life-changing" rather than simply "life-saving". To help local governments, donors and other stakeholders provide strategic, tailored recovery assistance in conflict- and post-conflict situations, UN-Habitat prepared geospatial, data-assisted city profiles in Haiti, Iraq, Lebanon, Libya and the Syrian Arab Republic. The profiles offer a cross-sectoral, spatial view of damage and vulnerabilities in urban areas, informing planning, prioritization and policymaking in the urban recovery efforts of national and local authorities, civil society and the private sector institutions.

45. Related to this is the work of UN-Habitat in identifying and addressing risks and in building resilience. Through its City Resilience Profiling Programme, UN-Habitat is involved in ongoing collaborations with a number of cities and supports various initiatives, including programmes in: Asunción, to build resilience against water-related hazards such as flooding; Barcelona, Spain, to develop a resilience plan; Dakar, to respond to uncontrolled urban development and growth; Maputo, to build resilience in vulnerable informal settlements; Port Vila, to address vulnerability to numerous natural hazards; and in Yakutsk, Russian Federation, one of the largest settlements in the world built on permafrost, which experiences extreme changes in temperature between the summer and winter months, where, as part of the UN-Habitat programme, a local resilience committee is helping to develop an Arctic/Nordic cities resilience network.

46. Separately, the "Making Cities Resilient" campaign, which is being coordinated by the United Nations Office for Disaster Risk Reduction (UNISDR), with over 3,800 signatory cities, aims to increase local-level commitment to resilience. This campaign is supported by the Urban Resilience Hub, an online platform hosted by UN-Habitat that provides an open space for exchange of good practices, tools and resources for cities to build resilience. UN-Habitat is also a leading member of the Medellin Collaboration for Urban Resilience, a major global community of practice gathering international organizations to promote activities to build resilience in cities.

47. UN-Habitat continued to support cities in their efforts to achieve effective local migration governance and to harness the social and economic development potential of migrant populations. In 2017, in close consultation with United Cities and Local Governments, the International Centre for Migration Policy Development, the International Organization for Migration and other partners, UN-Habitat contributed to: the formulation of the Mediterranean City-to-City Migration project policy recommendations, which were adopted by nine cities; the adoption of the Mechelen Declaration on Cities and Migration; and the publication of "Migration and Inclusive Cities: A Guide for Arab City Leaders". UN-Habitat also continued its country-level work, with a strong migration component, in Jordan, Lebanon and Somalia.

C. Collaboration with the United Nations development system

48. The vision of the New Urban Agenda is the basis of the UN-Habitat approach to partnerships within the United Nations development system. As of early 2018, 18 United Nations entities have developed a strategy or plan for implementing the Agenda, while another three entities were in the process of finalizing their implementation plans. UN-Habitat is now reviewing these plans to better map the

priorities and capacities of the United Nations system in advancing the New Urban Agenda.

49. In parallel, UN-Habitat is collaborating with the entities of the United Nations system in their respective fields to develop normative and operational responses to urban challenges. For example, UN-Habitat is working with UNEP, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Conference of Trade and Development (UNCTAD) and ITU on urban legislation. UN-Habitat, FAO and the World Bank are jointly advancing global and regional land tenure monitoring systems. UN-Habitat and UNEP also continued their collaboration on the Greener Cities Partnership.

50. UN-Habitat participates in the Inter-Agency Task Force on Finance for Development. During 2017, UN-Habitat's urban economy programme collated knowledge and data and supported capacity-building for city authorities to enable them to move beyond reactive interventions and to design integrated, long-term local economic growth strategies.

51. During the reporting period, UN-Habitat contributed to the work of the UN-Water and UN-Energy frameworks. Together with UNEP and the World Health Organization, UN-Habitat continued to play a leading role in the UN-Water mechanism on the development of a global framework for monitoring progress on wastewater, water quality and water resources management. Through the Global Expanded Water Monitoring Initiative, UN-Habitat worked on a mechanism to establish baselines and track progress in the implementation of relevant Sustainable Development Goals. With UN-Energy, the organization increased collective engagement between the United Nations energy-related initiatives and key external stakeholders. UN-Habitat also collaborated within the High-level Advisory Group of the Secretary-General on Sustainable Transport.

52. The increased efforts of the Inter-Agency Standing Committee to go beyond humanitarian action and strengthen links to development, peace and security directly supports the objectives of the New Urban Agenda, which details the considerations of human settlements-related sustainability issues during crises, particularly in complex urban environments. While maintaining a focus on "lifesaving" action, the inclusion of development, peace and security aspects contributes also to emphasis of urban Sustainable Development Goals on increased prosperity rather than basic poverty reduction.

53. In its central role of monitoring the implementation of Sustainable Development Goal 11 and other urban-related Goals and respective indicators, UN-Habitat worked with the United Nations Statistical Commission to advance progress on the monitoring and reporting on the New Urban Agenda and urban-related Sustainable Development Goals. UN-Habitat also developed a collaborative implementation framework intended to strengthen coordination of the activities of the United Nations development system on sustainable urban development, in line with UN-Habitat's focal point role in implementation of the New Urban Agenda. In addition, UN-Habitat worked actively with other agencies, the United Nations Development Operations Coordination Office, and the Multi-Partner Trust Fund Office in the establishment of the joint Sustainable Development Goals Fund and supported the development of a potential urban thematic window. Furthermore, UN-Habitat and the World Bank launched the Multi-Partner Implementation Facility for Sustainable Urban Development to align the diagnostic tools, policy support and capacity-building of the United Nations development system with the investment portfolio on urban infrastructure and basic services of the World Bank.

D. Cross-cutting issues

54. The overall goal of mainstreaming UN-Habitat cross-cutting issues (gender, human rights, climate change and youth) is to maximize the impact of the UN-Habitat programme of work in these critical areas. Mainstreaming cross-cutting issues also increases the coherence of and synergies between UN-Habitat's programmes and allows for stronger monitoring and reporting on the programme results with regard to the most vulnerable people and communities.

Gender mainstreaming and the empowerment of women

55. The strategic goal of UN-Habitat's gender policy [11] is "environmentally, economically and socially sustainable, gender-responsive, youth-aware, rights-based and inclusive urban development" to improve the living standards of the urban poor, male and female, young and old, regardless of their physical abilities, and to enhance their full and equal participation in the socioeconomic life of the city and other urban areas.

56. UN-Habitat's gender mainstreaming work is carried out in three ways: capacity-building; project support; and advocacy. In 2017, in-house capacity-building efforts focused on training, "brown bag" knowledge exchange gatherings and the strengthening of the gender focal point system. Externally, workshops took place in Afghanistan, Cameroon, Israel, Saudi Arabia and South Africa. The target groups of these workshops ranged from local communities and local authorities to international partners, to enhance gender-responsive urban planning and governance.

57. Mainstreaming cross-cutting issues in UN-Habitat is primarily done through the Project Advisory Group, a peer advisory mechanism that reviews all project proposals. A Gender Equality Marker has been established, as mandated by the United Nations System-Wide Action Plan on Gender Equality. Since 2016, 195 projects have been improved, covering 100 per cent of new UN-Habitat projects. In 2017, 44 per cent of projects scored 2 and above on the Gender Equality Marker — an improvement from 27 per cent in 2016. This improvement relates to an improvement in both the quality of and engagement with gender equality, above and beyond the minimum requirements.

58. Advocacy efforts on gender focused on governments and international partners, highlighting the challenges and opportunities of achieving gender equality in cities. These efforts contributed to international discourse and standards surrounding urban planning and governance. Advocacy is undertaken in global, regional and national forums, including the Governing Council of UN-Habitat, the Commission on the Status of Women and various regional gender mechanisms.

59. The UN-Habitat Advisory Group on Gender Issues worked with the Huairou Commission to draft a guidance note on a gender-responsive implementation of the New Urban Agenda. In this regard, UN-Women and UN-Habitat continued their global gender cooperation, including within the "Safe Cities and Safe Public Spaces" flagship programme of UN-Women.

Human rights

60. Human rights mainstreaming at UN-Habitat builds on existing knowledge, improves the impact and sustainability of the work of the organization and ensures that its activities target those furthest behind. As with gender mainstreaming, this is

[11] A/66/8, annex, resolution 23/1: the resolution established the framework for the Policy and Plan for Gender Equality and the Empowerment of Women in Urban Development 2014–2019 and the Gender Equality Action Plan 2014–2019.

done through the Project Advisory Group, training and capacity-building and activities at the country level. To ensure the quality and compliance with human rights principles in all work of UN-Habitat, every project proposal is reviewed and assessed against a human rights marker. This provides quality assurance and improved knowledge management on human rights issues. Since the adoption of the New Urban Agenda, 195 project proposals have been improved using the marker, and they now comply with minimum human rights requirements. Furthermore, a gradual progress in the quality of projects has been observed: project reviews during 2017 revealed that 38 per cent of UN-Habitat initiatives had achieved the "human rights sensitive" marker (compared to 27 per cent in 2016), attesting to a gradual improvement and concrete results achieved through capacity-building efforts.

61. In 2017, UN-Habitat, along with OHCHR, worked to increase the use of the human rights-based approach to sustainable urbanization. Regular "brown bag" lunch sessions engaged staff on human rights topics and standards, and a toolkit was developed to illustrate the link between international human rights instruments, the Sustainable Development Goals and the New Urban Agenda.

62. Implementation at the country level is reflected in various projects: in Somalia, UN-Habitat trained youth leaders on human rights at the "One-Stop Youth Centre" in Mogadishu, which led to the creation of a youth human rights committee in the country, which will continue human rights-related training activities. In Cambodia, the human rights-based approach was applied to the Water, Sanitation and Hygiene for All campaign with active participation of local stakeholders, leading to a national guideline for the integration of human rights to the water and sanitation sector. In Kenya, UN-Habitat partnered with the National Gender and Equality Commission to improve the mobility of vulnerable groups by improving their access to the Kenyan public transport system.

63. Finally, human rights mainstreaming in the urban context includes the prevention of forced evictions. To date, 20 partner countries have acted on the prevention of unlawful forced evictions. Notable examples include Brazil, Ethiopia, Kenya, Saudi Arabia and South Africa, all of which have shown political and legislative commitment to strengthen land tenure as a preventive method against forced evictions. This is supplemented by programmatic work on the ground, including programmes in Afghanistan to improve land tenure for returnees.

Climate change

64. Throughout 2017 UN-Habitat remained active in the Founders Council of the Global Covenant of Mayors for Climate and Energy, the largest network of cities committed to climate action. In parallel with this global level engagement, UN-Habitat assisted two smaller cities, Moroni in Comoros, and Nacala in Mozambique, in complying with their commitments made under the Global Covenant. This exercise provides insight into the challenges faced by smaller cities in least developed countries, which in turn can help inform the policy and approaches adopted by the Global Covenant. At the same time UN-Habitat began developing new tools for building the climate resilience of informal settlements in developing countries, which have some of the most vulnerable populations, based on pilot experiences in five developing country cities. Similarly, climate resilience planning funded by the Adaptation Fund in a number of rural villages in some of the poorest parts of the Lao People's Democratic Republic has provided insight into "getting to scale" while still engaging in participatory planning.

65. During the reporting period, UN-Habitat also collaborated to set up the "Planners for Climate Action" network, which was launched at the twenty-third session of the Conference of Parties to the United Nations Framework Convention on

Climate Change, held in Bonn, Germany, in 2017. The network, which is being further developed by UN-Habitat, gathers together partners and proposes concrete monitoring opportunities, indicators and activities while clarifying the linkages and partnerships around urban planning and design and climate change mitigation and adaptation. The network is intended, in part, to address Sustainable Development Goal 11, target 11.b, and to reinforce the language in the New Urban Agenda, which calls for city-level adaptation and mitigation planning. The network, comprising global, regional and national planning associations, collectively representing tens of thousands of planning professionals and educators, will engage in concrete actions, including the development of a global repository of planning curricula that address climate change and take stock of current planning practice, and will be registered on the Non-State Actor Zone for Climate Action global platform of the United Nations Framework Convention on Climate Change.

66. Research undertaken by UN-Habitat on sustainable urbanization in the Paris Agreement shows that out of the 164 nationally determined contributions reviewed, 113 contain explicit urban references and content. While this is a relatively high level, the survey also found that some of the most highly urbanized countries did not provide for urban action in their contributions. This finding suggests that in these countries, there is scope for increasing urban content in future iterations of their contributions.

Youth

67. For the period from March 2018 until March 2019, UN-Habitat is a co-chair of the United Nations Inter-Agency Network on Youth Development, which comprises over 50 United Nations entities represented at the Headquarters level. The network aims to achieve greater collaboration within and increased impact of the work of the United Nations system on youth. It advances the issue of youth and sustainable urbanization by assuring its inclusion in the formulation of the United Nations strategy on youth, to be developed as a response to the request of the Secretary-General for the enhanced engagement of youth in the United Nations system. In April 2017, UN-Habitat organized an Asia Urban Youth Assembly, with the support of the state government of Melaka, Malaysia.

68. As part of the Asia-Pacific Inter-Agency Network on Youth, a regional workshop on evidence-based policies on youth development, as well as a regional consultation on youth, peace and security, were held in 2017 with contributions from UN-Habitat. Subsequently, a working group on urbanization and localization was formed to lead the preparations for the Children and Youth Assembly at ninth session of the World Urban Forum.

69. UN-Habitat also participated in the work of the United Nations Task Team on the Global Initiative on Decent Jobs for Youth. The initiative is part of the 2030 Agenda implementation support platforms for Member States. It promotes interventions with expanded partnerships and joint action. UN-Habitat's involvement assures that there is a strong focus on the advancement of decent job acquisition by urban youth.

70. During the reporting period, the Urban Youth Fund supported 285 projects in 172 cities. Initiatives, led by youth, focused on vocational training and credit mechanism to facilitate employment and entrepreneurship.

VI. Observations and recommendations

71. Implementing the New Urban Agenda can accelerate the achievement of the Sustainable Development Goals set out in the 2030 Agenda for Sustainable Development. The increasing collaboration within the United Nations system in this area, and the increased understanding of the central role that cities play in sustainable development is encouraging. Governments are invited to continue to work towards the implementation of the New Urban Agenda, and to support key priority areas such as capacity-building, access to information and the establishment of inclusive partnerships, especially with national and local governments. Noting that sustainable urbanization must be a joint effort of all levels of government for it to be successful, the increased participation of local and regional governments in the implementation of the New Urban Agenda is welcomed. UN-Habitat is invited to further support these efforts, in particular by aligning national urban policy review with enhanced capacity for the implementation of the New Urban Agenda at local levels.

72. The work of Member States to support the strengthening of UN-Habitat is welcomed, in particular the work and recommendations of the open-ended Working Group to examine different options for a proposed governance structure to strengthen oversight of UN-Habitat by Member States, as are the deliberations of the General Assembly on this item. The engagement between UN-Habitat and Member States has resulted in recommendations on improving the governance of UN-Habitat and has provided input for the 2018–2019 institutional reforms led by the Executive Director to make UN-Habitat more trusted, transparent, accountable, effective and efficient. The recommendations will be incorporated in the next strategic plan of UN-Habitat, for the period 2020–2025. The formulation of the plan will integrate lessons learned in the implementation of the current plan, as reflected in various assessments and evaluations, taking into account, within the mandate of UN-Habitat, the 2030 Agenda and its Sustainable Development Goals, the New Urban Agenda, the Addis Ababa Action Agenda, the Sendai Framework, the Paris Agreement on Climate Change, the New York Declaration for Refugees and Migrants and other global mandates.

73. Collaboration with the regional commissions indicates that the regional action plans for the New Urban Agenda are an effective method for UN-Habitat to provide regionally appropriate implementation guidance, as well as to mainstream the New Urban Agenda at the national level. It is recommended that the United Nations system, regional entities and Member States continue to work together in this area.

74. The financial situation of UN-Habitat continues to be an area of concern. A reasonable balance between core funding and earmarked funding is particularly important for UN-Habitat in order to ensure that normative and operational activities are balanced and feed into each other, that the UN-Habitat normative work guides and is integrated into its operational work, as requested by the General Assembly, and that operational work and lessons learned also improve normative efforts. Member States are therefore encouraged to contribute financially, particularly through un-earmarked funds, to the efforts of UN-Habitat to catalyse collaboration on urban issues across the United Nations system.

75. Related to this is the innovative idea of the World Bank to establish the Implementation Facility for Sustainable Urban Development: its introduction as part of the urban window in the Sustainable Development Goals Fund is welcomed, and Member States are invited to utilize this initiative at national and city levels.

76. The ninth session of the World Urban Forum, which attracted the highest levels of participation to date, was a success: the non-legislative nature of the Forum offers a unique opportunity for highly participatory discussions, which should benefit Governments and civil society, academia and practitioners. The Kuala Lumpur

Declaration provides additional impetus to the implementation of the New Urban Agenda to achieve the urban dimension of the 2030 Agenda. The hosting of the ninth session by the Government of Malaysia is noted with appreciation, as is the offer of the Government of the United Arab Emirates to host the tenth session of the World Urban Forum in 2020.

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Democratic People's Republic of Korea

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 72/188 on the situation of human rights in the Democratic People's Republic of Korea. It provides an overview of the human rights situation in the country from September 2017 to July 2018 and of the Government's engagement with the United Nations in that regard.

While information gathered reveals a continuing pattern of serious human rights violations, the alleviation of tensions in the Korean Peninsula provides an opportunity for constructive engagement by all stakeholders to improve the human rights situation in the Democratic People's Republic of Korea. The report provides recommendations to the Government of the Democratic People's Republic of Korea and the international community to address endemic human rights issues and improve the situation of human rights in the country.

* A/73/150.

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I. Introduction

1. The present report provides an update on the human rights situation in the Democratic People's Republic of Korea since the submission of the report of the Secretary-General to the seventy-second session of the General Assembly (A/72/279). It focuses on the rights to life, liberty and security of the person, and to a fair trial; the right to freedom of movement; the right to freedom of expression and access to information; the issues of international abductions and separated families; the rights to food and health; and the rights of children, persons with disabilities and women.

2. The continued lack of access to the country and severe restrictions on seeking and receiving independent information made it difficult to obtain comprehensive and up-to-date information on these issues. Nevertheless, the information gathered by the Office of the United Nations High Commissioner for Human Rights (OHCHR) through interviews with individuals who have left the Democratic People's Republic of Korea, from United Nations agencies and other organizations working in the country and from credible secondary sources continues to point to persisting patterns of serious human rights violations.

3. The report also provides an overview of the activities of the United Nations relevant to the human rights situation in the Democratic People's Republic of Korea and of the engagement of the Government with the United Nations in that regard.

4. In the report, the Secretary-General reiterates his call for the constructive engagement of the Government to address human rights issues and makes recommendations to the Government of the Democratic People's Republic of Korea and the international community aimed at improving the human rights situation.

II. Political context

5. During the second half of 2017, tensions in and around the Korean Peninsula heightened following the launch of ballistic missiles by the Democratic People's Republic of Korea on 29 August, 15 September and 29 November, with missiles launched in August and September flying over Japanese territory. On 3 September 2017, the Government of the Democratic People's Republic of Korea announced that it had tested a hydrogen bomb capable of being loaded onto an intercontinental ballistic missile.

6. In contrast, the first half of 2018 witnessed a series of diplomatic initiatives that steadily alleviated tensions and provided a context for political engagement and raised hopes for increased regional stability. In his New Year's Day address, the leader of the Democratic People's Republic of Korea, Kim Jong Un, announced the participation of his country in the Winter Olympics in the Republic of Korea, which was welcomed by the President of the Republic of Korea, Moon Jae-in. On 9 January 2018, the inter-Korean communications channel, including a military telephone hotline, was formally restored after two years of interruption. On 9 February, both Korean teams entered the Winter Olympics opening ceremony under a joint flag.

7. The momentum created through the Pyeongchang Winter Olympics led to a continuation of high-level talks between the Democratic People's Republic of Korea and the Republic of Korea. On 21 April, Kim Jong Un announced the suspension of nuclear tests and intercontinental missile launches. On 27 April, the first inter-Korean summit in 11 years took place, with President Moon Jae-in and Chairman Kim Jong Un meeting for the first time and symbolically setting foot together on the territory of both countries. The summit ended with the Panmunjom Declaration, whereby the two leaders announced the beginning of a "new era of peace". The

declaration contains provisions to improve inter-Korean relations, alleviate military tensions and establish a permanent and solid peace regime on the Korean Peninsula.[1]

8. On 12 June, President Donald Trump of the United States of America and Chairman Kim Jong Un held a summit in Singapore, the first-ever meeting of the two countries' leaders. The Presidents signed a joint statement agreeing to security guarantees for the Democratic People's Republic of Korea; new peaceful relations; a reaffirmation of a commitment to complete denuclearization of the Korean Peninsula; and the recovery of the remains of United States military personnel killed during the Korean War.[2] At the end of the summit, President Trump announced that the United States would suspend joint military exercises planned with the Republic of Korea.

9. The Secretary-General welcomed the decision of the Government of the Democratic People's Republic of Korea to suspend nuclear testing and missile launches as an important contribution to building trust and to the peaceful denuclearization of the Korean Peninsula.[3] He saluted the courage and leadership which had led to the Panmunjom Declaration and urged the parties to act swiftly on implementation. He pledged his commitment and readiness to assist in those processes.[4] The Secretary-General also expressed support for the Singapore summit "as an important milestone in the advancement of sustainable peace and the complete and verifiable denuclearization on the Korean Peninsula" and reiterated that "relevant parts of the United Nations system stand ready to support this process".[5]

10. The ongoing rapprochement further underscores the necessity for the Democratic People's Republic of Korea to address the serious violations of human rights documented in this and previous reports. If such violations remain unaddressed, they may undermine prospects for durable peace and stability in the Korean Peninsula and the region. It is also an opportunity for those engaging with the Democratic People's Republic of Korea to ensure, in accordance with relevant Security Council resolutions, that the welfare and inherent dignity of the people in the Democratic People's Republic of Korea are at the centre of any negotiations to denuclearize the Korean Peninsula and to establish durable peace and stability in the region.

11. The Secretary-General reiterates his offer of full support from the United Nations system for this process, including through provision of technical expertise to assist in the promotion and protection of the human rights of people living in the Democratic People's Republic of Korea.

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[1] Panmunjom Declaration for Peace, Prosperity and Unification of the Korean Peninsula, 27 April 2018, available at www.unikorea.go.kr/eng_unikorea/news/news/?boardId=bbs_0000000000000033&mode=view&cntId=54394&category=&pageIdx=3.

[2] Joint statement of President Donald J. Trump of the United States of America and Chairman Kim Jong Un of the Democratic People's Republic of Korea at the Singapore Summit, 12 June 2018, available at www.whitehouse.gov/briefings-statements/joint-statement-president-donald-j-trump-united-states-america-chairman-kim-jong-un-democratic-peoples-republic-korea-singapore-summit/.

[3] Statement attributable to the Spokesman for the Secretary-General on the Korean Peninsula, 21 April 2018 (www.un.org/sg/en/content/sg/statement/2018-04-21/statement-attributable-spokesman-secretary-general-korean-peninsula).

[4] Statement attributable to the Spokesperson for the Secretary-General on the Inter-Korean Summit, 28 April 2018 (www.un.org/sg/en/content/sg/statement/2018-04-27/statement-attributable-spokesperson-secretary-general-inter-korean).

[5] Statement attributable to the Spokesman for the Secretary-General on the Summit between the leaders of the Democratic People's Republic of Korea and the United States of America, 12 June 2018 (www.un.org/sg/en/content/sg/statement/2018-06-12/statement-attributable-spokesman-secretary-general-summit-between).

III. Overview of the situation of human rights in the Democratic People's Republic of Korea

A. Rights to life, liberty and security of the person, and right to a fair trial

12. Reports of serious violations of the rights to life, liberty and security of the person continued to be received throughout the period.

13. Former detainees in the Democratic People's Republic of Korea interviewed by OHCHR and others described the precarious conditions in pre-trial detention facilities and prisons that, in many cases, amounted to ill-treatment or torture. They also reported that inadequate access for detainees to food and nutrition was common, frequently leading to malnutrition. Former detainees also reported instances of shortages of water for washing and drinking in the cells. There also were reports of deaths in detention owing to lack of adequate medical care and malnutrition.

14. Former detainees further reported that when detainees die in custody, their corpses are folded, placed in burlap sacks and buried in shallow graves close to the detention facilities, with no information about their fate provided to families.

15. Former detainees also reported beatings during interrogation or as a punishment for not following prison rules, for example, moving in the cell when ordered to sit still for extended periods of time. Forced labour appears to be routine for people kept in pre-trial holding cells (jipkyulso) and for prisoners in short-term labour camps (rodongdanryundae), ordinary prisons (kyohwaso) and political prisons (kwailiso). In most cases, this consists of hard manual labour, either as mobilized labour in the community, in the case of short-term labour camps, or on the prison grounds. Such forced labour often includes construction of roads and buildings and agricultural work. The physical demands of labour imposed on prisoners are exacerbated by inadequate food rations.

16. The right to a fair and independent trial is not guaranteed. In some cases, former detainees described having only a brief meeting with a lawyer prior to their trial. During that meeting, the lawyer would inform them of the charges they faced, but reportedly would not make efforts to prepare a defence. Accounts by former detainees, and people who witnessed trials, indicate that lawyers would rarely defend detainees during trials and, in some cases, would provide information in support of the prosecution's case. Individuals interviewed by OHCHR were convicted by a judge following trials often lasting less than an hour.

17. Interviews with former detainees showed that in cases where the accused was facing a sentence of no longer than six months in a short-term labour camp, conviction and sentences were summarily imposed without trial, based on a review by the authorities of the detainee's record.[6] Corruption is reportedly rampant in the criminal justice system, with former detainees reporting having paid bribes to secure a less severe sentence.

18. Reports of the continued existence of large political prison camps where people serve lengthy or life sentences are grounds for grave concern. Conditions in those camps are reported to be extremely poor, with insufficient food provided and prisoners forced to carry out hard manual labour. The Government continues to deny the existence of such camps. No former inmates of these camps are known to have left the Democratic People's Republic of Korea during the reporting period.

[6] In accordance with the Administrative Penalty Law (2004, 2011 revision), articles 14 and 16.

19. On 2 October 2017, the trial of two women (an Indonesian and a Vietnamese) accused of murdering Kim Jong Nam, the older half-brother of DPRK leader Kim Jong Un, commenced in Shah Alam High Court in Malaysia. A Malaysian police investigation found that he had been poisoned by the banned chemical agent VX. Both women pleaded not guilty to the charges. The women face a possible death sentence.

20. According to the Ministry of Unification of the Republic of Korea, as at 28 June, six citizens of the Republic of Korea were detained in the Democratic People's Republic of Korea: Kim Kuk-gi and Choi Chun-gil (sentenced to an indefinite period of labour in 2015); Kim Jeong-wook (sentenced to life imprisonment in 2014); three former citizens of the Democratic People's Republic of Korea, Kim Won-ho (detained in March 2016), Ko Hyon-chol (whose arrest was made public in July 2016) and another individual whose name is not known. Ham Jin-woo, also a former citizen of the Democratic People's Republic of Korea, and a reporter with the South Korean news site Daily NK, was reportedly abducted from China on 29 May 2017 and is also believed to be detained in the Democratic People's Republic of Korea.

21. On 9 May, authorities of the Democratic People's Republic of Korea released three citizens of the United States of America: Kim Dong-chul, who had been sentenced to 10 years' imprisonment in 2016; and Kim Sang-duk and Kim Hak-song, who were detained on 21 April and 7 May 2017, respectively, having been accused of committing "hostile acts". On 26 April 2018, the parents of Otto Frederick Warmbier filed a civil lawsuit against the Democratic People's Republic of Korea in a Federal Court in the United States of America, seeking damages for hostage-taking, torture and extrajudicial killing, wrongful death, intentional infliction of emotional distress and assault and battery. On 12 June 2017, Mr. Warmbier had been released in a comatose state, after more than 17 months in detention. He was medically evacuated to the United States, where he died on 19 June 2017. The Government of the Democratic People's Republic of Korea claimed he had fallen into a coma after contracting botulism.[7]

22. The Secretary-General calls upon the Government of the Democratic People's Republic of Korea to urgently take steps to ensure that conditions in detention conform to minimum standards for the treatment of persons in detention, and that trials uphold minimum standards for fair trial. He urges the Government to review all cases of citizens of the Republic of Korea currently held in the Democratic People's Republic of Korea and to release them on humanitarian grounds or where it is found that they were imprisoned owing to the peaceful exercise of their rights.

B. Right to freedom of movement

23. The Government of the Democratic People's Republic of Korea has continued to impose severe restrictions on freedom of movement for both internal and external travel, with citizens required to obtain permission to travel within the country (see A/72/279, paras. 16 and 17).

24. Exercise of the right to leave and enter one's country is strictly limited and controlled. The Criminal Law imposes up to one year of imprisonment, or up to five years in grave cases, for illegal border crossing. Leaving the Democratic People's Republic of Korea exposed people to grave risks. Information gathered by OHCHR indicates that cases in which individuals sought to travel to the Republic of Korea, came into contact with persons from the Republic of Korea or stayed for longer periods in China were considered more serious. In 2017, 1,127 citizens of the Democratic People's Republic of Korea, including 939 (83 per cent) women, arrived

[7] See A/72/279, para. 13. Otto Frederick Warmbier was detained on 2 January 2016.

in the Republic of Korea.[8] Individuals interviewed by OHCHR described security at the border as increasingly tight, resulting in a decrease in the number of people leaving the country. The vast majority of people crossing the border relied on "brokers" who, in many cases, were traffickers. Many women who had crossed the border described that they were forcibly married and subjected to other forms of sexual abuse. OHCHR also received information about individuals who had irregularly crossed the border with China and were forcibly returned and subjected to detention, torture, sexual harassment and other forms of ill-treatment.

25. During the reporting period, according to available information, two soldiers left the Democratic People's Republic of Korea by crossing the armistice line separating it from the Republic of Korea.[9] On 13 November, one was shot and injured as he crossed into the Republic of Korea. The second soldier managed to cross on 21 December.

C. Right to freedom of expression, access to information and freedom of association and peaceful assembly

26. The right to freedom of expression, access to information and freedom of association and peaceful assembly remained severely restricted. Those who criticize the authorities remain at risk of imprisonment in ordinary or political prisons or expulsion from cities to remote areas of the country where conditions of life are difficult and they may be subjected to economic hardship, forced labour in farming or manual work and limited access to services such as health care and education.

27. Although the Constitution guarantees the rights to freedom of speech, the press, assembly, demonstration and association (article 67), a pervasive surveillance system, and the prospect of detention or imprisonment in case of criticism of the Government or the leadership, inhibit meaningful freedom of expression. In Hyesan city, Ryanggang Province, the authorities reportedly issued decrees to ban gatherings of more than three people, apparently to prevent complaints about an increasingly difficult economic situation.

28. Access to information remains restricted, with punishment imposed on those found to have received or to possess material not authorized by the authorities, in particular information from the Republic of Korea. The 2015 Criminal Code (article 183) criminalizes the introduction or distribution of "corrupt culture", which, in "more serious cases", carries up to 10 years of labour reform. Yet, many people living in the provinces along the border with China do access information from abroad, including on USB sticks. OHCHR also received information that people found to be in possession of unauthorized materials in some cases are able to avoid punishment by paying a bribe to local law enforcement authorities.

29. According to information received by OHCHR, the authorities have continued a crackdown on mobile phones that have not been authorized by the Government. The authorities reportedly use jamming equipment as well as monitoring of mobile phones. Mobile phones are often used to facilitate irregular travel across the border with China, contact with relatives in the Republic of Korea or inflow of information from outside the country. The Criminal Code (article 222) imposes up to five years of

[8] Website of the Ministry of Unification, Republic of Korea, at www.unikorea.go.kr/unikorea/business/NKDefectorsPolicy/status/lately/.

[9] United States Forces Korea, "Armistice rules in effect throughout DMZ", press release, 21 December 2017 (www.usfk.mil/Media/Press-Releases/Article/1401738/armistice-rules-in-effect-throughout-dmz/) and "North Korean defection update, video release", 21 November 2017 (www.usfk.mil/Media/Press-Releases/Article/1379075/north-korean-defection-update-video-release/).

imprisonment for "unlawful international communication" in cases that are considered serious, for example, for individuals engaged in helping people to leave the country.

D. International abductions and separated families

30. Through the Panmunjom Declaration, the leaders of the Democratic People's Republic of Korea and the Republic of Korea agreed to "swiftly resolve humanitarian issues that resulted from the division of the nation". In particular, they agreed to a reunion event for separated families, scheduled in August 2018, which will be the first reunion event to take place since October 2015.

31. Since the end of the Korean War (1950–1953), 132,484 persons in the Republic of Korea have applied for unification with their relatives in the Democratic People's Republic of Korea. Of those, only 57,059 are still alive and seeking reunion, and most are above the age of 80.[10]

32. Since reunion events started in 2000, only 2,325 families have been able to meet relatives on the other side of the border. Moreover, the infrequent nature of these events, the limited number of participants and the advanced age of those who have been separated has caused anguish and suffering, as those who participate are not likely to meet their relatives again. The rights of separated families should be addressed holistically, allowing for permanent contact and communication.

33. In May 2017, the National Committee on Investigating Abductions during the Korean War[11] issued a "Report on abductions during the Korean War", about the abduction of 95,456 civilians during the war whose fate and whereabouts remain unknown. In March 2018, the civil society organization Korean War Abductees Family Union uncovered a document issued by the Office of the Zone Staff Judge Advocate of the Headquarters of the Korean Communications Zone in 1953, which details and analyses the massacre, in October 1950, of 1,800 to 2,000 civilian prisoners (formerly officials of Seoul and Kaesong, in South Pyongan Province) by soldiers from the Democratic People's Republic of Korea. According to this document, the victims are buried in mass graves in South Pyongan Province.[12] At its 114th session, held in Geneva from 5 to 9 February 2018, the Working Group on Enforced or Involuntary Disappearances of the Human Rights Council transmitted four cases of wartime abductees to the Government of the Democratic People's Republic of Korea (see A/HRC/WGEID/114/1, para. 37).

34. No progress has been made in establishing the fate of 516 individuals from the Republic of Korea who, according to the Government of the Republic of Korea, were abducted by the Democratic People's Republic of Korea after the Korean War. There has been no progress either in the investigation into the fate of Japanese nationals in the Democratic People's Republic of Korea, including abductees, and of abductees from other countries. Twelve Japanese citizens abducted in the 1970s and 1980s are still missing. The authorities of the Democratic People's Republic of Korea claim that eight of them died and that the four others never entered the country.

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[10] Website of the Ministry of Unification, Republic of Korea, at https://reunion.unikorea.go.kr/reuni/home/pds/reqststat/list.do?mid=SM00000129.

[11] The National Committee on Investigating Abductions during the Korean War was established by the Government of the Republic of Korea in 2010 in accordance with the Act on Finding the Truth of the Damage from North Korea's Abduction during the Korean War and Recovering Honor of the Victims (2010). It consists of members from the Government and non-government actors and is chaired by the Prime Minister of the Republic of Korea.

[12] Headquarters Korean Communications Zone, Office of the Zone Staff Judge Advocate APO 234, Legal Analysis of Korean War Crimes Case Number 141, 15 June 1953.

35. On 10 May, South Korean news channel JTBC broadcast an interview with the manager of a restaurant in China, who arrived in the Republic of Korea in April 2016 with 12 women from the Democratic People's Republic of Korea. He stated: "It was luring and kidnapping, and I know because I took the lead". The Government of the Democratic People's Republic of Korea has consistently alleged that the women were abducted while the Government of the Republic of Korea has stated they were living freely in the country. In a press briefing following his visit to the Republic of Korea from 2 to 10 July, Tomás Ojea Quintana, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, recommended that the Government of the Republic of Korea undertake an "independent investigation and hold to account those responsible" and "respect the decision of the victims... about their future", while noting that "if they were taken against their will, that might be a crime". OHCHR continues to monitor the case.

36. In their joint statement of 12 June following their summit, the Presidents of the Democratic People's Republic of Korea and of the United States of America committed to recovering the remains of prisoners of war and those missing in action since the Korean War, including the immediate repatriation of those already identified. Officials of the Democratic People's Republic of Korea have reportedly indicated that they are in possession of up to 200 sets of remains of military personnel from the United States.[13] The Government of the Democratic People's Republic of Korea has reportedly also engaged with Turkey to initiate the identification and repatriation of the remains of 487 Turkish soldiers believed to have died in the Democratic People's Republic of Korea during the Korean War.

37. The Secretary-General welcomes the reunion of separated families scheduled to take place in August, and encourages the Democratic People's Republic of Korea and the Republic of Korea to ensure that this leads to the development and implementation of mechanisms allowing relatives in the two countries to remain in contact and reunite freely, on an ongoing basis.

38. The Secretary-General urges the Government of the Democratic People's Republic of Korea to clarify the fate of individuals abducted from the Republic of Korea, Japan and other countries.

E. Right to food

39. The Democratic People's Republic of Korea continued to be affected by chronic food insecurity, early childhood malnutrition and nutrition insecurity. According to the 2017 Global Hunger Index, which tracks and measures hunger worldwide, the country had a score of 28.2, which is classified as "serious".[14] Around 10.3 million people — 41 per cent of the population — are undernourished, and 60,000 children suffer from severe acute malnutrition.[15] Dietary quality for many people is poor, with limited consumption of protein, fat and micronutrients. In 2017, 40,000 severely

[13] Defense POW/MIA Personnel Accounting, Department of Defense of the United States of America, "Progress on Korean War personnel accounting", 18 June 2018. Available from www.dpaa.mil/Resources/Fact-Sheets/Article-View/Article/569610/progress-on-korean-war-personnel-accounting/.

[14] *2017 Global Hunger Index: The Inequalities Of Hunger* (October 2017), appendix D. Available at www.globalhungerindex.org/pdf/en/2017/appendix-d.pdf.

[15] "Democratic People's Republic of Korea needs and priorities" (March 2018), pp. 4-5. Available from https://reliefweb.int/report/democratic-peoples-republic-korea/dpr-korea-needs-and-priorities-march-2018.

malnourished children under five years old received treatment and over 2 million people received nutritious food.[16]

40. In 2017, the total food production (in cereal equivalent) decreased by 7.42 per cent, from 5.89 million tons to 5.45 million tons. On the basis of the Government's target for the public distribution system ration size, a deficit in food supply was estimated at around 1.07 million tons — an increase of 10.86 per cent from the previous year.

41. On 21 June 2018, the Central Bureau of Statistics of the Democratic People's Republic of Korea and the United Nations Children's Fund (UNICEF) published the outcome of a multi-indicator cluster survey. According to the survey, 19.1 per cent of children under the age of five in the Democratic People's Republic of Korea suffered from stunting and 3 per cent from wasting. The survey revealed significant disparities between rural and urban areas, and among provinces in this regard. While 10.1 per cent of children in Pyongyang suffered from stunting, in Ryanggang Province in the north of the country 31.8 per cent were affected. The World Food Programme (WFP) is to conduct a qualitative food security assessment during the second half of 2018 to assist in understanding the risks of temporary and chronic food insecurity in the country.

42. Since the breakdown of the public distribution system in the 1990s, most people do not rely on State-provided food rations to fill their basic needs. Public distribution is mainly limited to people in professions considered by the Government to be of particular importance, including in the mining sector or security personnel, and to people living in Pyongyang.

43. Some factories reportedly distribute basic supplies to workers, depending on profits they make. The majority of the population does not benefit from public distribution and instead engages in informal trade or small-scale farming to fill food needs. In provinces along the border, people whose livelihoods depended on trade with China have reportedly been facing increasing financial hardship since late 2017 onwards, as trade with China declined and tighter border control made smuggling more difficult.

44. UNICEF reported that "despite the exemption granted to humanitarian assistance, the imposition of sanctions, coupled with donor fatigue, has reduced the availability of resources to address even the most pressing of life-threatening situations".[17] WFP reported that, owing to a shortage of funding, since November 2017 it put on hold nutrition support to 195,000 children in kindergartens.[18]

F. Right to health

45. The Constitution of the Democratic People's Republic of Korea provides for free health care for all citizens. However, the Government continues to face challenges in meeting this commitment. The quality and availability of health-care services remain limited, with rural areas facing the most severe shortcomings in access to basic health care. There is a severe shortage of basic essential allopathic medicines, which forces patients to purchase basic medicines on the private market or to depend on traditional medicine.

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[16] Ibid., p.10.

[17] UNICEF, "Situation analysis of children and women in the Democratic People's Republic of Korea — 2017". Available at www.unicef.org/dprk/Situation_Analysis_of_Children_and_Women_in_DPR_Korea_UNICEF_2017.pdf.

[18] WFP, "DPR Korea country brief", April 2018. Available at https://reliefweb.int/sites/reliefweb.int/files/resources/WFP%20DPRK%20Country%20Brief%20October%202017.pdf.

46. The multi-indicator cluster survey (see para. 41 above) found that the under-five mortality rate in the five years preceding it was at 15 per 1,000 live births — a decrease from 20 per 1,000 live births in the period 2010–2014.[19] Diarrhoea, related to poor sanitation and acute malnutrition, remains a leading cause of death among young children.[20]

47. Individuals held in prisons and detention centres face limited access to basic health care and medicine. Some former detainees described sick wards in prisons or detention centres, where ailing prisoners, including those suffering from tuberculosis and malnutrition, are reportedly separated from the rest of the prison population. Patients in the sick wards reportedly only receive treatment if their relatives are able to bring medicine. Moreover, the amount of food they receive is reportedly reduced because they are not engaged in manual labour.

48. With regard to sexual and reproductive health and rights, women are granted eight months of maternity leave, according to article 33 of the Law on the Protection and Promotion of Women's Rights (2010). The law also provides that public health institutions shall have facilities specific to women, and health education for girl students (article 20). In practice, sexual and reproductive health services are largely framed within the marital framework and provided mainly to married women. There are no programmes aimed at increasing access for unmarried women and men, particularly adolescents, to sexual and reproductive health information and services. In 2017, with the support of the United Nations Population Fund, a new national reproductive health strategy was developed, which includes provisions for expansion of choice in family planning methods targeting both men and women, including programmes for male participation. The multi-indicator cluster survey (see para. 41 above) found that 70 per cent of married women aged 15 to 49 had a met need for contraception, 5.2 per cent for spacing and 65.1 per cent for limiting pregnancy.[21]

G. Rights of the child

49. In September 2017, the Committee on the Rights of the Child reviewed progress by the Democratic People's Republic of Korea in implementing the Convention on the Rights of the Child on the basis of the fifth periodic report, submitted by the State in 2016.

50. In its concluding observations, the Committee expressed appreciation for the constructive dialogue held with the multisectoral delegation. It welcomed the progress achieved with regard to universal education, decreasing maternal and child mortality and the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2014 (see CRC/C/PRK/CO/5, paras. 2 and 3).

51. The Committee expressed various concerns, including about the limited availability of disaggregated data concerning children; torture and other cruel or degrading treatment or punishment of children; child labour; the situation of children deprived of a family environment; and malnutrition.

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[19] Central Bureau of Statistics and UNICEF, *Multiple Indicator Cluster Survey 2017: Survey Findings Report: Democratic People's Republic of Korea* (June 2018), p. 39. Available at https://mics-surveys-prod.s3.amazonaws.com/MICS6/East%20Asia%20and%20the%20Pacific/Korea%2C%20Democratic%20People%27s%20Republic%20of/2017/Final/Korea%20DPR%202017%20MICS_English.pdf.

[20] UNICEF, "Humanitarian Action for Children: Democratic People's Republic of Korea, 2018" (www.unicef.org/appeals/dprk.html).

[21] *Multiple Indicator Cluster Survey 2017* (note 19 above), p. 49.

52. While the Government stated that there was no forced child labour, monitoring by OHCHR and other organizations indicated that children were in some cases engaged in commercial activities or mobilized to conduct labour through the education system, particularly in rural areas. The multi-indicator cluster survey revealed that 5 per cent of children between 5 and 17 years old were engaged in child labour during the week prior to the survey, particularly in rural areas and within the lowest wealth group.[22]

53. The survey also revealed high rates of enrolment in primary, lower and upper secondary education, at 97, 96 and 95 per cent, respectively with no notable differences between girls and boys and no disparity between the rural and urban areas at the primary level. While the State provides free and compulsory education from primary to secondary school, monitoring by OHCHR revealed that students were required to contribute to the cost of books, school supplies and upkeep of facilities. In some cases, this prevents children from lower-income families from accessing education.

54. The Secretary-General continues to be concerned about the lack of information concerning the situation of juveniles in conflict with the law. During the review by the Committee on the Rights of the Child in September 2017 (see CRC/C/SR.2237, para. 57), the representative of the Democratic People's Republic of Korea stated that between 2014 and 2016, 13 children had been subjected to "social education measures" for periods from one to three years. While the Government declared that they reportedly enjoyed all their civil rights, and that those measures did not constitute a punishment or involve surveillance, their families, school and other social organizations "must report on their progress to the security services" twice a year.

H. Rights of persons with disabilities

55. On 6 March 2018, Catalina Devandas Aguilar, the Special Rapporteur on the rights of persons with disabilities, presented to the Human Rights Council the report on her visit to the Democratic People's Republic of Korea in May 2017 (A/HRC/37/56/Add.1). The Special Rapporteur's visit was the first ever to the country by an independent expert designated by the Human Rights Council. She welcomed the ratification of the Convention on the Rights of Persons with Disabilities in 2016 and related advancements. She also identified outstanding issues, including obstacles preventing persons with disabilities from gaining access to education and services on an equal basis with others, and from exercising their legal capacity.

56. The Special Rapporteur encouraged the Government to strengthen the legal and policy framework on the rights of persons with disabilities and to move towards implementation, enforcement and monitoring of the Convention. The Government provided detailed comments on the report, which were made public (see A/HRC/37/56/Add.3). It refuted, among other observations of the Special Rapporteur, that denial of freedom of movement within the country disproportionally affected persons with disabilities.

57. In May 2018, UNICEF signed a Programme Cooperation Agreement with Handicap International and the Korean Federation for the Protection of the Disabled to support the implementation of articles 7, 25 and 26 of the Convention on the Rights of Persons with Disabilities[23] and articles 2 and 23 of the Convention on the Rights

[22] Ibid., p. 135.

[23] Articles 7, 25 and 26 of the Convention on the Rights of Persons with Disabilities make provisions respectively, for the protection of children with disabilities; health; and habilitation and rehabilitation.

of the Child,[24] namely to ensure that children with disabilities can access inclusive and holistic health and rehabilitation care services. The Ministry for Foreign Affairs of the Democratic People's Republic of Korea endorsed this partnership.

58. The Secretary-General welcomes this constructive dialogue for the promotion and protection of the rights of persons with disabilities. He urges the authorities to continue to engage with the Special Rapporteur and to engage with other United Nations human rights mechanisms, and with United Nations agencies and humanitarian agencies, for this purpose.

I. Rights of women

59. In November 2017, the Committee on the Elimination of Discrimination against Women considered the combined second to fourth periodic reports of the Democratic People's Republic of Korea (CEDAW/C/PRK/2-4), submitted in 2016. In its concluding observations, the Committee welcomed the adoption of domestic legislation to protect the rights of women, as well as efforts to improve the institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality (CEDAW/C/PRK/CO/2-4, paras. 4 and 5).

60. At the same time, the Committee expressed concern that the prioritization of reconciliation and mediation in family disputes and divorce cases might not afford adequate protection to victims of domestic violence and might result in impunity for perpetrators. The Committee urged the authorities to develop a comprehensive strategy to eliminate discriminatory stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men. It also expressed concern about the lack of effective application of legislation, lack of information on the incidence of gender-based violence against women, including domestic violence, and the limited information available regarding cases of domestic violence being addressed in the courts (ibid., paras. 13, 24 and 25).

61. Information gathered by OHCHR indicates that domestic violence is common in the Democratic People's Republic of Korea. The authorities reportedly generally fail to take steps to investigate incidents of domestic violence, and facilities or services to assist victims are generally not available. There also appears to be little awareness about the Law on the Protection and Promotion of the Rights of Women adopted in 2010, which prohibits all forms of discrimination against women as well as violence against women in the family.

62. Many women who leave the Democratic People's Republic of Korea are trafficked across the border with China, sold to Chinese men or subjected to other forms of exploitation. Victims usually do not seek protection, fearing being forcibly returned to the Democratic People's Republic of Korea if they come into contact with the Chinese authorities. OHCHR has documented cases in which women, upon repatriation to the Democratic People's Republic of Korea, are held in detention centres where conditions fall below international standards. OHCHR also interviewed former detainees who reported a lack of access to adequate food and health care, torture and ill-treatment, including sexual violence by male prison guards and forced abortion.

[24] Articles 2 and 23 of the Convention on the Rights of the Child focus on the areas of non-discrimination and the rights of children with disabilities.

IV. Cooperation between the United Nations and the Government concerning the human rights situation in the Democratic People's Republic of Korea

63. The Government of the Democratic People's Republic of Korea took some steps to engage with the international human rights system during the reporting period. However, it continued to refuse to engage with the OHCHR office in Seoul, Republic of Korea, and with the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea appointed by the Human Rights Council.

A. Cooperation with United Nations intergovernmental bodies

64. In its resolutions 2375 (2017) and 2397 (2017), the Security Council condemned in the strongest terms the nuclear tests conducted by the Democratic People's Republic of Korea on 2 September 2017 and the ballistic missile launch of 28 November 2017, respectively. In both resolutions, the Council expressed concern that the Democratic People's Republic of Korea was diverting critically needed resources away from its people when they had great unmet needs.

65. On 11 December 2017, the Security Council discussed the situation of human rights in the Democratic People's Republic of Korea, for the fourth time since December 2014, and was briefed by the High Commissioner for Human Rights.[25] The Permanent Mission of the Democratic People's Republic of Korea to the United Nations in New York issued a statement condemning the convocation of the meeting by the Security Council.[26]

66. In its resolution 72/188 on the situation of human rights in the Democratic People's Republic of Korea, the General Assembly welcomed the report of the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea (A/HRC/34/66/Add.1) and the options presented to seek accountability and secure truth and justice for all victims. It also welcomed the adoption of Human Rights Council resolution 34/24,[27] providing for the strengthening of OHCHR, including its field-based structure in Seoul. As in earlier resolutions adopted since 2014, the Assembly encouraged the Security Council to continue to consider the recommendations of the commission of inquiry on human rights in the Democratic People's Republic of Korea and take appropriate action to ensure accountability, including through consideration of referral of the situation to the International Criminal Court and consideration of the further development of sanctions in order to target effectively those who appear to be most responsible for human rights violations that the commission has said may constitute crimes against humanity. In a statement to the Assembly, the Democratic People's Republic of Korea categorically rejected the resolution, which it stated was a "conspiracy organized by the United States of America and other hostile forces" and a "manifestation of politicization, selectivity and double standards on human rights" (A/72/PV.73, p. 24).

67. In its resolution 37/28 of 23 March 2018 on the situation of human rights in the Democratic People's Republic of Korea(A/HRC/RES/37/28), the Human Rights

[25] "Security Council briefing on the situation in the Democratic People's Republic of Korea: statement by UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein", 8 December 2017/(www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22526).

[26] "Press statement of Permanent Mission of DPRK to United Nations", 12 December 2017/(https://kcnawatch.co/newstream/1513099847-671868635/press-statement-of-permanent-mission-of-dprk-to-un/).

[27] *See Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.

Council welcomed the steps taken to strengthen the capacity of OHCHR, including its field-based structure in Seoul, to allow the implementation of relevant recommendations of the group of independent experts on accountability. It requested the High Commissioner for Human Rights to submit a report to it at its fortieth session, in March 2019, on the implementation of the recommendations of the group of independent experts on accountability. The Democratic People's Republic of Korea rejected the resolution as an attempt to "tarnish the image" of the country, while stating that it "attaches importance to the international cooperation for promotion and protection of genuine human rights".[28]

B. Office of the United Nations High Commissioner for Human Rights

68. Pursuant to Human Rights Council resolution 25/25, the OHCHR office in Seoul continued to conduct monitoring, documentation, capacity-building and outreach activities. In that context, it engaged with Governments, civil society actors, individuals who had left the Democratic People's Republic of Korea, United Nations entities and humanitarian workers operating in the Democratic People's Republic of Korea and other stakeholders. The Democratic People's Republic of Korea rejected all cooperation pursuant to the resolution.

69. During the reporting period, the OHCHR office in Seoul continued to gather individual testimonies to corroborate information on allegations of human rights violations it had previously recorded and to seek information on any changes in the human rights situation in the Democratic People's Republic of Korea. As at July 2018, it had interviewed more than 240 individuals who had left the country.

70. In line with Human Rights Council resolution 34/24, and within the limits of resources approved by the General Assembly, OHCHR has taken steps towards implementing recommendations of the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea. This includes the reinforcement of legal and technical expertise through an accountability project which foresees the establishment of a central repository for information and evidence and the assessment of all information and testimonies collected by OHCHR with a view to developing possible strategies for future accountability processes.

71. A high-level expert started working in March 2018 to lead this project. She undertook a mission to Seoul in May 2018 to meet with a range of relevant actors. In addition, staff members with legal expertise began working with the office in Seoul in July 2018 to strengthen monitoring, legal expertise and develop possible prosecution strategies. Initial steps were also taken towards establishing the repository. Through an oral update by the Deputy High Commissioner for Human Rights, the Human Rights Council was informed about the progress made in this regard on 14 March 2018. A full report on progress made by OHCHR will be presented to Human Rights Council at its fortieth session. Given the financial implications of this project, OHCHR will apply an incremental approach, based on the availability of resources.

72. On 11 December 2017, the office in Seoul held a seminar to consider the impact of engagement of the Democratic People's Republic of Korea with the universal periodic review, treaty bodies and special procedures and to identify good practices and ways forward. The seminar was attended by around 70 representatives of civil society organizations, diplomatic missions and media outlets. Through engagement

[28] Press statement of the Permanent Mission of the Democratic People's Republic of Korea to the United Nations Office and other international organizations in Geneva, 23 March 2018.

with relevant Governments and diplomats, the office advocated the inclusion of human rights in talks between the Democratic People's Republic of Korea and other countries.

C. United Nations human rights mechanisms

73. The visit of the Special Rapporteur on the rights of persons with disabilities and the cooperation of the Democratic People's Republic of Korea with the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women are detailed in the relevant sections of the present report.

74. At its 114th session, the Working Group on Enforced and Involuntary Disappearances transmitted 16 newly reported cases to the Government of the Democratic People's Republic of Korea. It considered the replies of the Government as insufficient to lead to the clarification of the cases (see A/HRC/WGEID/114/1, paras. 37–39). As at 2 May 2018, there were 233 outstanding cases transmitted to the Government by the Working Group.

75. The Secretary-General urges the Government of the Democratic People's Republic of Korea to build on its initial engagement with United Nations human rights mechanisms and to accept offers of technical support for the promotion and protection of human rights of people living in the Democratic People's Republic of Korea.

D. United Nations entities operating in the Democratic People's Republic of Korea

76. The United Nations system in the Democratic People's Republic of Korea continued to operate under significant constraints imposed by the Government. The lack of independent contact with the local population and consultations with beneficiaries during the programming process remain a significant obstacle to the United Nations efforts to develop and implement a needs-based and human rights-based approach to its humanitarian programmes. While field access continues to depend on authorizations by the Government, access and monitoring conditions have improved in recent years following ongoing engagement between United Nations agencies and the Government to allow for adequate implementation of humanitarian activities.

77. Sanctions imposed on the country, while not intended to affect humanitarian assistance, have continued to generate serious, unintended consequences and major impacts on life-saving humanitarian programmes owing to disruptions to the banking channel, the breakdown of supply chains, delays in the transportation of vital goods into the country and a steady decline in donor funding.

78. The Secretary-General encourages the Government to review its policies in line with the recommendations accepted in the 2014 Universal Periodic Review on the delivery of humanitarian assistance, in order to strengthen the effectiveness of United Nations assistance to the population. In particular, the Secretary-General urges the Government to lift restrictions on the freedom of movement of United Nations personnel and to grant them full access to beneficiaries to enable the collection of relevant disaggregated data and ultimately ensure that assistance benefits the most vulnerable.

V. Conclusions

79. The Secretary-General welcomes steps taken by the Government to de-escalate tension and improve the political situation on the Korean Peninsula. He welcomes the moratorium on missile launches and nuclear tests and the planned resumption of family reunion events.

80. The Secretary-General also welcomes steps taken by the Government to continue to cooperate with international human rights mechanisms, including with the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women.

81. The Secretary-General welcomes continued efforts within the United Nations to follow up on the findings of the commission of inquiry on human rights in the Democratic People's Republic of Korea, which emphasized the need for profound structural reforms to promote and protect the rights of the population.

82. The Secretary-General recalls that peace and security, development and human rights are interrelated and mutually reinforcing. He is concerned about continuing reports of grave violations taking place in the Democratic People's Republic of Korea and urges efforts towards addressing these violations, as lack of respect for human rights risks undermining efforts to improve security and development.

83. The Secretary-General stresses that improvement of the human rights situation and the humanitarian situation in the Democratic People's Republic of Korea must remain high on the international agenda and be regularly discussed, including at the Human Rights Council, the General Assembly and the Security Council.

VI. Recommendations

84. The Secretary-General recommends that the Government of the Democratic People's Republic of Korea:

(a) Comply with its obligations arising from international human rights law, including the five core human rights treaties ratified by the State;

(b) Accept and implement all the recommendations made by international human rights mechanisms, including treaty bodies;

(c) Take concrete steps to follow up on the findings and recommendations of the Special Rapporteur on the rights of persons with disabilities following her visit;

(d) Engage actively with the third cycle of the universal periodic review and translate commitments from past cycles into concrete action to effectively improve the human rights situation throughout the country;

(e) Cooperate with the international community in relation to the implementation of Human Rights Council resolution 37/28 on the situation of human rights in the Democratic People's Republic of Korea;

(f) Engage constructively with the United Nations system, including the Office of the United Nations High Commissioner for Human Rights and its office in Seoul;

(g) Take necessary measures to address the findings and recommendations of the commission of inquiry and the group of independent experts on accountability for human rights violations in the Democratic People's Republic of Korea and engage with the international community towards their implementation, including the adoption of measures to address the concerns expressed regarding systematic, widespread and grave human rights violations and the associated impunity;

(h) Provide free and unimpeded access to United Nations and humanitarian agencies throughout the territory of the Democratic People's Republic of Korea, including to collect critical data, to allow adequate responses to the needs of the population.

85. **The Secretary-General recommends that the international community:**

(a) Consider appropriate follow-up action to the report of the commission of inquiry, in accordance with Human Rights Council resolutions 25/25, 28/22, 31/18, 34/24 and 37/28 and General Assembly resolutions 69/188, 70/172, 71/202 and 72/188;

(b) Consider appropriate follow-up action to the report of the group of independent experts, in accordance with Human Rights Council resolutions 34/24 and 37/28;

(c) Provide adequate and sustainable funding for humanitarian assistance, especially food and medicine, with a view to improving humanitarian conditions and the human rights situation;

(d) Take urgent steps to minimize the adverse humanitarian consequences of sanctions imposed on the Democratic People's Republic of Korea by extending full support to the United Nations agencies working in the country;

(e) Ensure that measures to improve respect for and protection of human rights in the Democratic People's Republic of Korea form a core part of current efforts to pursue durable peace and security in the Korean Peninsula.

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Promotion and protection of human rights: implementation of human rights instruments

United Nations reform: measures and proposals

Status of the human rights treaty body system

Report of the Secretary-General

Summary

In its resolution 68/268, the General Assembly requested the Secretary-General to submit to the Assembly, on a biennial basis, a comprehensive report on the status of the human rights treaty body system. The present report is the second report submitted pursuant to that request.

The report, together with 24 statistical annexes provided on the OHCHR website (www.ohchr.org/EN/HRBodies/HRTD/Pages/2ndBiennialReportbySG.aspx), provides information on the progress achieved in implementing resolution 68/268. The resolution identifies criteria by which to assess the future needs of treaty bodies in terms of meeting time and the corresponding level of human and financial resource requirements, based on the number of State party reports and individual communications received and the workload targets specified in the resolution. The report provides a detailed consideration of the progress made on the elements identified in the resolution and areas for improvement that are essential for the effective functioning of the human rights treaty body system. The report identifies the challenges remaining, such as the increasing number of activities undertaken by the treaty bodies, which has not been accompanied by adequate resources. The report also emphasizes that in the lead-up to the review by the General Assembly of the human rights treaty body system in 2020, it is essential that discussions be held in an open, transparent and inclusive manner to ensure that the contribution of the treaty body system to meeting the needs of Member States is fully appreciated and to find adequate solutions to existing challenges.

* A/73/150.

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I. Introduction

1. The present report is the second to be submitted pursuant to General Assembly resolution 68/268, in which the Assembly requested the Secretary-General to submit to it, on a biennial basis, a comprehensive report on the status of the human rights treaty body system and the progress achieved in realizing greater efficiency and effectiveness in the work of the human rights treaty bodies.

2. In the same resolution, the Assembly also decided to consider the state of the human rights treaty body system no later than six years from the date of adoption of the resolution, namely by 9 April 2020, and to review the effectiveness of the measures taken.

3. The human rights treaty body system comprises nine core treaties and eight Optional Protocols, which lay down legal obligations for the States that become parties to them. In addition, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment establishes the Subcommittee on Prevention of Torture, with a specific mandate on torture prevention.

4. The human rights treaty bodies consist of 10 Committees of independent experts ranging in number from 10 to 25 members, whose mandate is derived from the 9 core treaties and the Optional Protocol to the Convention against Torture. The treaty bodies perform a number of functions aimed at reviewing how the treaties and protocols are being implemented by the States parties. All treaty bodies, with the exception of the Subcommittee on Prevention of Torture, are mandated to receive and consider reports by States parties detailing how they are applying the treaty provisions. Eight of the treaty bodies,[1] under the respective Optional Protocols or specific provisions, may receive and consider complaints or communications from individuals alleging that their rights have been violated, provided that the State in question has accepted that procedure.[2] The Subcommittee on Prevention of Torture has a mandate to visit all places where persons are or may be deprived of their liberty. The treaty bodies carry out a number of other functions in accordance with the relevant treaty, such as urgent actions, inquiries, requests for further information relevant to the implementation of the treaties (also known as follow-up procedures), inter-State complaints, general comments and early warning procedures.

5. In total, there are 172 treaty body experts serving as independent members on the 10 Committees to which they are elected by the State parties to the particular treaty or protocol. The experts work on a pro bono basis and serve as members in their personal capacity.

6. The Office of the United Nations High Commissioner for Human Rights (OHCHR), in particular the Human Rights Treaties Branch, provides substantive legal, procedural, administrative and logistical support to the treaty bodies. The United Nations Office at Geneva provides conference services support by managing the conference rooms and providing for simultaneous interpretation, including sign language and captioning, editing, translation and publishing of documents. The United Nations Information Service prepares and disseminates background and round-up press releases, summaries of public meetings in English and French and, provided that funding is available, webcast services (live recording and archiving).

[1] Article 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has not yet entered into force.

[2] The competence of a Committee to consider individual communications is recognized either through a State declaration pertaining to a specific provision of the treaty or through ratification of the relevant Optional Protocol.

7. Once a State has acceded to or ratified a human rights treaty, it is required that an initial report be submitted within one or two years of the entry into force of the treaty and, thereafter, in general, periodic reports at intervals specified in the relevant treaty or by the treaty body. States parties are also encouraged to submit and update a common core document providing general and factual information on the implementation of all the treaties to which the State is party. During their sessions in Geneva and in the presence of the State party delegation, the treaty bodies review how the State party implements its legal obligations under the relevant treaty, through either the standard or the simplified reporting procedure. Under the standard reporting procedure, the review of a State party is carried out on the basis of its report, as well as other available information. The State party submits written replies to a list of issues prepared by the Committee to inform the dialogue with the State party delegation. In turn, the simplified reporting procedure consists of the adoption by the Committee of a "list of issues prior to reporting". The responses of the State party to the list of issues prior to reporting form the basis of the State party report. There is no additional list of issues in such cases. The outcome of the dialogue is the concluding observations, which include recommendations for the State party reviewed. Under both reporting procedures, the treaty bodies rely on the support of OHCHR staff, who conduct research and analysis on the specific human rights situation of the State party in relation to the relevant treaty obligations and provide assistance with the drafting of a list of issues or the list of issues prior to reporting and in the drafting of concluding observations.

8. During their sessions, Committees also examine communications received from individuals alleging that their rights under the relevant treaty have been violated. OHCHR staff undertake preparatory work by reviewing incoming correspondence, carrying out research on the jurisprudence of the Committees on the admissibility and merits, conducting a legal analysis of the submissions, drafting recommendations for the experts, providing additional information as requested, finalizing the text of the decisions or views and assisting with analysing and assessing supplementary information on their implementation.

9. The experts of the Subcommittee on Prevention of Torture visit all places where persons are or may be deprived of their liberty. This is done with the support of OHCHR staff, who carry out legal analysis and prepare and participate in the visit to ensure the necessary follow-up and draft reports for the consideration of the Subcommittee.

10. Several challenges facing the treaty body system have been identified over the past decades, including non-compliance of States with their reporting obligations; backlogs facing some of the treaty bodies; the increasing time lag for treaty bodies with communication procedures between the registration of and a final decision on a case; voluminous and costly treaty body documentation; the capacity of States to prepare national reports; the coherence of the system; and inadequate resources given the expansion of the system's activities. In 2012, the United Nations High Commissioner for Human Rights put forward a comprehensive set of proposals to tackle those challenges (A/66/860, sect. 2.3). An open-ended intergovernmental process was launched in 2012, and resolution 68/268 was adopted in April 2014.

11. The current assessment builds on the first report of the Secretary-General on the status of the human rights treaty body system (A/71/118) and the comprehensive and detailed assessment of the costs of the treaty body system, which was provided as background information to the intergovernmental process (A/68/606).

12. The reference period used in this report is 1 January 2016 to 31 December 2017, with relevant data in the annexes covering a broader period, from 2014 to 2017, showing the progression since the previous report.

Observations of States parties

13. OHCHR solicited the views of States parties on the implementation of the resolution, particularly those provisions specifically addressed to States. All responses received, including those from other stakeholders, are available on the Office's website.[3]

14. The States that responded reiterated their continued support to the treaty body system and OHCHR and expressed their commitment to continue to implement the resolution. Some States expressed the view that the simplified reporting procedure was beneficial and should be offered by all Committees. Others preferred the standard reporting procedure and highlighted as a challenge the fact that the simplified reporting procedure was not proposed under the same modalities by all. Other issues raised included the need to respect the principle of multilingualism and to have reports translated on time, and the need to make better use of the meetings with States parties.

II. Progress achieved in implementing General Assembly resolution 68/268

15. In its resolution 68/268, the General Assembly agreed upon a set of measures to streamline the work of the treaty bodies and allocate their resources more effectively, based on an objective assessment of their respective workloads (on the basis of the average number of State party reports and individual communications received in the previous years) and according to established workload targets (the review of 2.5 State party reports per week (5 reports submitted under the Optional Protocols to the Convention on the Rights of the Child) and the review of 23 communications per week). Furthermore, using the same formula, the workload and related resource requirements could be reassessed and adjusted as needed in the future, on the basis of a biennial status update. An OHCHR capacity-building programme was also established pursuant to the resolution to assist States in meeting their reporting obligations. Importantly, the changes introduced pursuant to the resolution were effectively budget neutral, as the costs arising from the new initiatives were matched by corresponding savings from the streamlining measures, such as strict word limits for State party reports and the reduction in the number of working languages to three for the treaty bodies.

16. An analysis is provided below of the criteria used by the General Assembly, as described in paragraphs 26 and 27 of the resolution, to determine the annual allocation of meeting time for 9 of the 10 treaty bodies. The Subcommittee on Prevention of Torture and the meeting of the Chairs were not included in the aforementioned calculation, as they have different mandates.

Ratifications

17. Since the issuance of the previous report (A/71/118), the overall number of ratifications of the 18 human rights treaties and optional protocols, including declarations recognizing the competence of a Committee to consider individual communications, increased from a total of 2,300 in 2015 to 2,386 in 2017, representing an increase of 86, or 3.7 per cent (annex I). That is comparable to the 5 per cent increase observed over the period from 2013 to 2015. The universal ratification of all of the treaties and optional protocols, including declarations, would entail 4,925 ratifications.

[3] http://www.ohchr.org/EN/HRBodies/HRTD/Pages/TBStrengthening.aspx.

18. The greatest percentage increase in the number of ratifications concerned the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which had 22 ratifications at the end of 2015 and 37 at the end of 2017, representing a 68.1 per cent increase.

Reporting compliance

19. As at 31 December 2017, 34 of the 197 States parties were fully compliant with their reporting obligations and did not have overdue reports. This represents 17 per cent of all States parties (annex II).

20. The remaining 163 States parties had not complied with one or more of their reporting obligations for either initial or periodic reports. As at 31 December 2017, 578 reports were overdue. A per treaty analysis shows significant variations between Committees in the number of reports overdue.

State party reports

21. Of the 10 treaty bodies, 9 review State party reports. For the purpose of calculating meeting time requirements, it is noted that the average number of State party reports received annually by each treaty body decreased slightly, from 132 a year from 2012 to 2015 to 128.8 a year from 2014 to 2017, representing 3 fewer reports (annex III).

22. The number of reports pending review (also referred to as the backlog) decreased from 258 in December 2015 to 230 in December 2017, representing an 11 per cent decrease (annex IV). The Committee on the Rights of Persons with Disabilities had the largest backlog, with 47 reports pending review, or 20 per cent of the total backlog.

23. In terms of workload, most treaty bodies that review State party reports have met the workload targets established in the resolution (annex V). On average, Committees reviewed 166.2 State party reports a year from 2015 to 2017 over a period of 66.3 weeks, thereby meeting the target of 2.5 reports per week.[4]

Individual communications

24. Of the 10 treaty bodies, 8 may receive individual communications. The yearly average number of individual communications registered in 2016 and 2017 increased by approximately 2 communications, from an average of 297.5 registered in 2014 and 2015 to 300 for 2016 and 2017 (annex VI). The number is particularly high for the Human Rights Committee, which registered a yearly average of 189 communications for 2016 and 2017, or 63 per cent of the total yearly average of all communications registered for all eight treaty bodies. The Committee on the Rights of the Child had the greatest increase in the annual average number of communications registered, from 1 at the end of 2015 to 29 at the end of 2017.

25. The number of communications pending review increased from 769 in 2015 to 977 in 2017, representing a 28 per cent increase (annex VII). The Human Rights Committee had the largest number of communications pending review, with 693 communications out of 977, representing 71 per cent of the total. The Committee on the Rights of the Child recorded the largest increase in the number of communications pending review, from 1 at the end of 2015 to 35 at the end of 2017.

[4] The average number of State party reports reviewed each week for nine treaties is 2.6 (23.5/9); for the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the figure is 4.3 (8.6/2).

26. In terms of meeting workload targets for individual communications, the eight treaty bodies that review individual communications adopted final decisions on a yearly average of 197 communications from 2015 to 2017 over a period of 6.3 weeks. This represents 31 communications per week, thereby exceeding the target of 23 by more than a third. This includes communications that were discontinued en bloc (annex VIII).

Visits of the Subcommittee on Prevention of Torture

27. The Subcommittee on Prevention of Torture undertook 7 visits in 2014, 8 visits in 2015 and 10 visits in both 2016 and 2017, in accordance with its mandate (annex IX).

28. Since its establishment in 2007, the Subcommittee met for three one-week sessions per year, including in 2017.

Capacity-building

29. Between 2015 and 2017, the capacity-building programme enhanced the skills and knowledge of more than 350 State officials from 135 countries (annex X). Those officials have become trained trainers on treaty reporting and part of subregional networks of State officials. Furthermore, technical assistance was provided in some 70 countries on specific human rights treaties and corresponding reporting obligations. This assistance resulted in new ratifications; the submission of updated common core documents and outstanding State party reports; improved constructive dialogues; and an increased interest in a number of countries towards establishing a national mechanism for reporting and follow-up, which is meant to ensure sustainable engagement by States with all human rights mechanisms and continuous reporting and implementation of their recommendations. Most importantly, a number of countries with previous long delays in reporting are now re-engaging with the treaty bodies.

30. To support such engagement, OHCHR in 2016 published a practical guide entitled "National Mechanisms for Reporting and Follow-up: A Practical Guide to Effective State Engagement with International Human Rights Mechanisms"; a training guide on reporting to the United Nations human rights treaty bodies; and an e-learning tool for State officials and other stakeholders on treaty reporting. Other treaty-specific guides are under preparation.

Accessibility

31. At present, no resources have been allocated for the provision of accessible services to the treaty bodies other than the Committee on the Rights of Persons with Disabilities. The Committee has met since 2017 in a recently renovated and fully accessible room at the Palais des Nations, in Geneva, which ensures the provision and quality of accessibility services, including sign language interpretation, simultaneous remote captioning and Braille printing as required (annex XI).

32. In December 2017, the United Nations Office at Geneva launched a special project to produce a limited series of core documents relating to the Convention on the Rights of Persons with Disabilities in plain language and easy-to-read formats to increase the ability of the audience, in particular persons with intellectual disabilities, to understand them at first glance. There are currently no regular budget allocations to produce plain language and easy-to-read versions of treaty body documents.

33. OHCHR and the United Nations Office at Geneva continued to provide reasonable accommodation to experts with disabilities on an ad hoc basis. Sustainable

solutions are required to provide reasonable accommodation and accessibility services to persons with disabilities in respect of all Committees and meetings.

Webcasting and use of information and communications technologies

34. In the resolution, the General Assembly decided in principle to webcast, as soon as feasible, the public meetings of the treaty bodies. It requested the Department of Public Information to report on the feasibility of providing, in all of the official languages used in the respective Committees, live webcasts and video archives. The feasibility study was included in annex XX of the information supplementing the previous report (A/71/118),[5] but to date no resources have been allocated for webcasting.

35. The General Assembly also requested that States parties be provided an opportunity to participate in the consideration of their reports to the treaty bodies by videoconference in order to facilitate wider participation in the dialogue. Information on the remote participation of State delegations by videoconference is included in annex XII. The United Nations Office at Geneva ensures smooth operational support for both webcasts and videoconferences, although there are no dedicated resources for those services. Both webcasting and remote participation by videoconference are important accessibility initiatives that provide for greater visibility and outreach of the treaty body system.

36. From September 2016 to June 2017, more than 200 State party reviews and other public meetings of treaty bodies were webcast live and archived on the United Nations Television platform, accessible worldwide. The introduction of webcasting was made possible thanks to the contribution by the European Union of extrabudgetary resources as a pilot project, scheduled to conclude on 30 June 2018. Given the high demand for webcasting services, additional extrabudgetary funding is being urgently sought to enable its continuation (annex XIII). In line with the provisions of resolution 68/268, webcasting should be funded through regular budget resources.

III. Projected requirements for the period 2020–2021 and remaining challenges

37. In its resolution 68/268, the General Assembly approved a number of measures to enable the treaty body system to function more efficiently and effectively. The capacity of the system to process State party reports and individual submissions was assessed in order to determine weekly workload targets and, on the basis of that assessment and the projections of anticipated submissions, the necessary meeting time was allocated. The Assembly also decided that the amount of meeting time allocated would be reviewed biennially on the basis of actual reporting during the previous four years and the allocation of meeting time amended as necessary, in the context of the biennial programme budget.

38. The resources required for one week of meeting time differ depending on the size of the membership for the travel of the experts, the different documentation needs and the types of activities carried out by the treaty bodies. A week of meeting time to review State party reports requires 15 weeks of Professional staff support, whereas a week for the review of individual communications requires 70 weeks of Professional staff time, in addition to 4 weeks of General Service staff support for both. Individual

[5] See www.ohchr.org/EN/HRBodies/HRTD/Pages/FirstBiennialReportbySG.aspx.

communications require much more time for processing and review than do State party reports.[6]

Meeting time needs for 2020–2021

39. The meeting time needs of the treaty body system for 2020–2021 are assessed on the basis of the criteria set out in paragraphs 26 and 27 of the resolution (annexes XIV–XVI). The trend identified in the previous report, namely, the fluctuation in the number of State party reports received from year to year and from one treaty body to another, is confirmed, as is the sharp increase in the number of individual communications registered between 2012 and 2015 (see A/71/118, paras. 18–21). Although the submission of State party reports did not increase, a significantly greater number of individual communications are received, which can be expected to grow considerably further as the communication procedures of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, which have entered into force relatively recently, become more widely known and used.

40. As a result, the annual meeting time requirement for the treaty bodies is assessed at 91 weeks in 2020–2021,[7] comprising 57 weeks for the review of State party reports, 16 weeks for the review of individual communications and 18 weeks for other mandated activities (annex XVII).

41. The 18-week period for other mandated activities refers to the two additional weeks of meeting time allocated in the resolution for each of the nine treaty bodies and is included in the 91-week annual total. The resources provided for each of those 18 weeks are equivalent to those provided for a week of meetings to review State party reports. Evidence since 2015 indicates that those resources are insufficient to carry out the work and to cover the associated costs that arise in the areas of urgent action, inquiry and follow-up to the implementation of recommendations, decisions and views.

42. With respect to all of the aforementioned procedures, adjustments in the correspondence between the amount of time allocated for meetings and the amount of staff and financial resources required to carry out the work are very much needed, as is evidenced in paragraphs 57 to 71 below.

Remaining challenges

43. While the number of reports expected to be received in a given year is unpredictable and is up to the States, an overall increase is anticipated in the number of State party reports submitted over the medium and long term as a result of the continued increase in the number of ratifications and the increased support provided to States parties through the focused capacity-building programme (see A/71/118, para. 18). The number of individual communications is also expected to increase as a result of greater outreach and increased knowledge of the procedures. An increase in ratifications would also mean that the Subcommittee on Prevention of Torture would conduct more visits.

44. To facilitate the preparation of the State party reports and interactive dialogue, the General Assembly encouraged the use of the simplified reporting procedure. This

[6] The availability of a staff member supporting the treaty bodies is 40 weeks per year, or 200 working days, taking into account official holidays, leave entitlements, coordination requirements, administrative duties and mandatory training.

[7] The meeting time assessed for 2015–2017 totals 92.6 weeks (66.3 State party reports plus 8.3 individual communications plus 18 other mandated activities) and for 2018–2019, 93.2 weeks (59.2 State party reports plus 16 individual communications plus 18 other mandated activities).

may reduce the reporting workload for States parties and increase the focus and quality of their reports, as their response to the list of issues prior to reporting constitutes the submission of the State party report.

45. At present, there is not enough empirical evidence across treaty bodies to determine the impact of the use of the simplified reporting procedure and whether it is sustainable in terms of resources. The two treaty bodies that have used it the most, the Human Rights Committee and the Committee against Torture, are currently assessing its impact and workload implications; however, the results were not available at the time of writing.

46. The increase in the number of reports and communications submitted will also have an impact on the overall number of reports and communications pending review. The backlog of State party reports decreased slightly between 2015 and 2017 because of the additional meeting time granted in 2015 and the sustained efforts of the Committees and the Secretariat to meet the workload target of 2.5 State party reviews conducted per week. The backlog of individual communications increased, however, despite the sustained efforts of the Committees and the Secretariat, and the workload target was exceeded: 31 rather than the 23 communications planned were considered per week. The increase in the backlog of individual communications was due to the significant increase in the number of communications received and registered for consideration by the treaty bodies and the fact that the increase could not be absorbed within the existing resources owing to the already high workload.

Subcommittee on Prevention of Torture

47. The Optional Protocol to the Convention against Torture established a system of regular visits by the Subcommittee on Prevention of Torture to places where persons are or may be deprived of their liberty in order to prevent torture and ill-treatment.

48. The Subcommittee on Prevention of Torture recently reduced the number of visits from 10 per year to 7 or 8, as it can no longer absorb within existing staffing levels the additional 2 or 3 annual visits. Given the current number of ratifications, it will take more than 10 years for the Subcommittee to visit all States parties.

49. Each visit undertaken by four to six members of the Subcommittee is supported by two or three Professional staff members, who carry out legal analysis, prepare and participate in the mission and ensure its follow-up, including by drafting reports to States and national preventive mechanisms. A total of 20 weeks of Professional staff time is needed per visit, as well as six weeks of preparatory logistical and administrative support by a General Service staff member.

50. As the meeting time formula set out in resolution 68/268 does not cover the work of the Subcommittee on Prevention of Torture, a correlation needs to be established between the increase in the volume of activities of the Subcommittee and staff needed to support those activities.

Working methods and harmonization

51. As treaties entered into force at different moments in time, the Committees started working independently, developing their own working methods and practices according to their needs and the specificities of their respective treaties. This led to the current situation, in which each Committee practises different working method.

52. Over the past decades, with the active support of the Secretariat, the treaty bodies have gone to great lengths to discuss harmonization or alignment of the different working methods and practices. Most Committees have adopted the Addis Ababa guidelines on the independence and impartiality of members of the human

rights treaty bodies (A/67/222 and A/67/222/Corr.1, annex I) and the San José guidelines against intimidation or reprisals (HRI/MC/2015/6), or have established practices to deal with such issues. Similarly, the significant efforts to harmonize the approach to inquiries merit mention. While the harmonization and alignment of working methods has been achieved to a certain extent, in the areas identified by the General Assembly in its resolution 68/268, important variations among the Committees remain. Efforts to align working methods are ongoing. Such efforts have focused especially on the simplified reporting procedure (annex XVIII), on the constructive dialogue (annex XIX), on concluding observations (annex XX) and on general comments (annex XXI). Much has already been achieved to improve the accessibility of the system and bring the predictability necessary for States parties and stakeholders to engage with it.

53. Since 1988, the Chairs of the human rights treaty bodies have met on an annual basis for one week to share information and better coordinate their work, including by considering ways to enhance the effectiveness of the treaty body system as a whole. Since their twentieth meeting, in 2008, the Chairs have included harmonization of working methods in their agenda and have agreed that the working methods require improvement (see A/63/280, annex, para. 21).

54. At their thirtieth meeting, from 29 May to 1 June 2018, the Chairs discussed documents prepared by OHCHR (HRI/MC/2018/3 and HRI/MC/2018/4), identifying progress achieved in aligning the working methods and practices of the treaty bodies in a number of areas. The Chairs also discussed areas for continued work to further align their working methods (see A/73/140).

55. Several challenges remain, however. First among them is the lack of a common understanding among treaty body members on the role and authority of their respective Chairs. Second is the limited time and resources that Chairs have to meet and discuss key issues, including between sessions. Third is the continual rotation of individuals chairing the treaty bodies, which makes it difficult to reach and maintain consensus.

56. Concerted efforts are required to establish the meeting of Chairs as a proactive and solution-oriented platform aimed at finding common approaches, thus ensuring a more effective treaty body system. It is important that the Committees have an opportunity to discuss and compare working methods during their sessions, in advance of the annual meeting of Chairs, to facilitate collective decisions to delegate authority to their respective Chairs to discuss and endorse working methods and practices at the annual meeting.[8]

Two additional weeks for other mandated activities

57. In addition to reviewing State party reports and individual communications, treaty bodies perform a range of other functions aimed at reviewing how States parties implement their legal obligations. They include, for some Committees, carrying out urgent actions, conducting country inquiries and/or visits and making requests for further information relevant to the implementation of the Conventions (also known as follow-up procedures).

58. Evidence indicates that the staffing resources corresponding to the 18 weeks allotted for the performance of other mandated activities (2 additional weeks for each

[8] This procedure is in place with respect to decisions previously discussed and agreed to within each of the Committees. Such measures are to be implemented by all treaty bodies, unless a Committee subsequently dissociates itself from it (see A/70/302, para. 88, and the outcome document of the Dublin II meeting on strengthening the United Nations human rights treaty body system (see http://www.ohchr.org/EN/HRBodies/HRTD/Pages/Documents.aspx, para. 26).

of the 9 treaty bodies) are far from sufficient to meet the actual workload generated by those activities. The staff support corresponding to 1 week of meeting time for other activities is calculated on the basis of the workload for supporting 1 week of State party reports, namely, 15 workweeks for a Professional staff member and 4 workweeks for a General Service staff member. In 2016–2017, the intensity of the additional activities added 20 per cent more work for the staff.[9] This should be recognized and addressed.

59. Other activities of treaty bodies that are necessary for their functioning have not been quantified in terms of workload and need to be taken into consideration. Such activities include the preparation and adoption of the agenda and programme of work, electing officers and discussing and adopting rules of procedure, working methods and practices and recommendations emanating from the meeting of the Chairs.

Urgent actions

60. Urgent actions[10] are a procedure of the Committee on Enforced Disappearances aimed at urgently searching for and locating a person who has disappeared. The number of urgent actions registered almost doubled, from 274 at the end of 2015 to 445 at the end of 2017, of which 405 were under consideration as at 31 December 2017 (annex XXII). This represents an increase of over 50 per cent. In order to cope with this situation, immediate measures are necessary, as was also highlighted in the previous report (A/71/118, para. 46).

61. Staff supporting the Committee on urgent actions register new requests, prepare requests for information, analyse the State party's reply and the author's comments, prepare requests for interim measures, draft recommendations for the Committee and draft correspondence to the State party with the Committee's recommendations.

62. On average, a Professional staff member spends two working days on an urgent action and a General Service staff member one day. Considering the yearly average of 402 urgent actions registered in 2016–2017, a total of 161 weeks of work of a Professional staff member and 80.4 weeks of work of a General Service staff member would be required.

Inquiries

63. Six treaty bodies may initiate inquiries if they receive reliable information containing well-founded indications of serious, grave or systematic violations of the provisions of the treaties in a State party. Those inquiries consist of reviews and in-depth analysis of information and may include a country visit (annex XXIII). While funding was provided for documentation and for the travel of members of some Committees and staff to carry out inquiry visits, no provision was made for the provision of interpretation during the visits.[11]

64. Staff supporting inquiries analyse, review and process the information received and prepare correspondence to and engage with the concerned State party and information sources. When the treaty body decides to request a visit, the staff prepare

[9] Professional staff support: 161 weeks (urgent actions) plus 43 weeks (inquiries) plus 70 weeks (follow-up) plus 48 weeks (general comments), for a total of 322 weeks; in addition to 18 weeks of meeting time multiplied by 15 weeks of support for a total of 270 weeks. General Service staff support: 80.4 weeks (urgent actions) plus 3.4 weeks (inquiries) plus 7 weeks (follow-up), for a total of 90.8 weeks; in addition to 18 weeks of meeting time multiplied by 4 weeks for a total of 72 weeks.

[10] See the International Convention for the Protection of All Persons from Enforced Disappearance, art. 30.

[11] Currently no resources are provided in connection with inquiries in respect of the Convention on the Rights of the Child or the Covenant on Economic, Social and Cultural Rights.

and participate in the visit and ensure the necessary follow-up, including by drafting the report.

65. On average, one Professional staff member needs 15 working days for an inquiry without a visit or report, 30 days for an inquiry without a visit but with a report or 55 days for an inquiry with both a visit and a report. General Service staff need on average one, two or five days, respectively, to support the treaty bodies on inquiries.

66. Considering the yearly average in 2016–2017 of 6 new requests for inquiries and/or visits, 0.5 inquiries concluded per year without a visit but with a report, and 2 inquiries carried out with a visit and a report, a total of 43 working weeks of Professional staff support and 3.4 weeks of a General Service staff member would be required.

Requests for further information relevant to the implementation of the Conventions (also known as follow-up procedures)

67. Most treaty bodies have developed processes to consider the steps taken by States parties to implement recommendations as part of the reporting procedure [12] and decisions and views under the individual communications procedures, also referred to as follow-up to recommendations and views. In 2017, the treaty body system produced 15 such reports relating to concluding observations and 10 reports relating to decisions or views.

68. Staff communicate with States parties and, in the case of views, with the authors of communications; receive information from States parties, civil society organizations and authors of communications; summarize that information for a preliminary assessment; prepare the draft report or procedure; review the draft report with the rapporteur; and send further communications to States parties and, in the case of views, to authors of communications informing them of the relevant decisions of the treaty body.

69. On average, one such procedure or report relating to concluding observations requires two weeks of Professional and one day of General Service staff time. In the case of views, five weeks of Professional staff time and two days of General Service staff time are required. Using the workload averages of 2016–2017 to determine the future yearly needs, namely 15 reports relating to concluding observations and 8 reports relating to views, the related staffing needs represent 70 working weeks of Professional staff support and 7 weeks of General Service support.

Elaboration of general comments

70. All Committees prepare and publish general comments or general recommendations covering a wide range of issues, including the interpretation of specific substantive provisions of their respective treaties, guidance on the general obligations of States party to a treaty and wider cross-cutting issues in relation to the specific treaties.

71. As at 31 December 2017, five Committees had eight general comments under preparation (annex XXI). On average, each general comment requires six working

[12] International Convention on the Elimination of All Forms of Racial Discrimination , article 9.1; International Covenant on Economic, Social and Cultural Rights, article 16.1; International Covenant on Civil and Political Rights, article 40.1; Convention on the Elimination of All Forms of Discrimination against Women, article 18 (b); Convention on the Rights of the Child, article 44.4; Convention against Torture, article 19.1; Optional Protocol to the Convention against Torture, article 13.4; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, article 73.1. (b); Convention on the Rights of Persons with Disabilities, article 35. 2; Committee on Enforced Disappearances, article 29.4.

weeks of a Professional staff member. Accordingly, a total of 48 weeks of Professional staff support would be required.

Follow-up to the previous report

72. The first report of the Secretary-General contained an assessment of the implementation of resolution 68/268 from January 2015 to June 2016, a relatively short period of time. Treaty bodies' meeting time requirements for reviewing State party reports and individual communications for the biennium 2018–2019 were identified on the basis of the workload reported. An addition of 0.6 weeks to the 92.6 weeks of meeting time of treaty bodies from 2015 to 2017 was recommended, for a total of 93.2 weeks, distributed according to the reported workload. Specifically, the meeting time for dealing with communications was to increase from 8.3 weeks in 2017 to 16 weeks per year in 2018 and 2019. The meeting time for reviewing State party reports was to decrease from 66.3 weeks in 2017 to 59.2 weeks in 2018 and 2019. Those changes had implications for the support provided by Professional and General Service staff to the treaty bodies, as well as for documentation needs and requirements for the travel of treaty body experts. While the revised meeting time allocation was approved by the General Assembly, less than half of the corresponding human resources requested were approved.

73. The main implication was that OHCHR had insufficient staff capacity to prepare the necessary documentation and provide substantive, legal, administrative and logistical support and advice prior to, during and after the sessions of the Committees.[13] The level of staff support provided to some of the more labour-intensive procedures of the Committees had to be reduced to what was achievable with the current staffing levels.

74. Given insufficient staff resources, the workload targets that correspond to the reallocated meeting time are not likely to be met for 2018–2019. If the increase in the number of ratifications and reporting compliance remain stable, the backlog of State party reports will increase rather than decrease. The backlog of individual communications will continue to increase, bringing treaty bodies back to a situation as difficult as that which existed before the adoption of resolution 68/268, in 2014, a key objective of which was precisely to eliminate such backlogs.

75. Similarly, the additional week of meeting time that the General Assembly approved for the Subcommittee on the Prevention of Torture will not be used because of insufficient staff capacity to support its visits. Therefore, the number of visits of the Subcommittee planned for 2018–2019 will be reduced to seven or eight per year.

76. The funding of webcasts of the public meetings of treaty bodies was not included in the resources requested.

IV. Further action to strengthen and enhance the functioning of the human rights treaty body system

77. Resolution 68/268 contains a range of important measures addressed to all stakeholders. However, those measures, even if fully implemented, were not meant to ensure the long-term viability of the treaty body system. Unless further steps are taken, the system will continue to grow more complex for both States and rights holders. The experience of implementing the resolution has made even more apparent

[13] The Office strongly encouraged treaty bodies to agree on a common aligned procedure for follow-up to concluding observations, decisions and views that would be fully streamlined and would alleviate the workload, HRI/MC/2018/4, para. 5, and A/73/140, annex II.

the unsustainability of increased activity of the treaty bodies without the provision of adequate resources. Such growth is bound to gradually erode the accessibility and impact of this invaluable normative framework.

78. It is therefore essential to seize the opportunity provided by the 2020 review by engaging in a timely and conclusive reflection on ways to ensure a strong and effective treaty body system in the longer term.

79. Over the years, States, treaty body members, non-governmental organizations, experts and other stakeholders have built a rich repository of analysis of the strengths and challenges of the system and developed concrete ideas for addressing the latter.[14] Other recent examples include proposals put forward in connection with the Academic Platform on Treaty Body Review 2020, coordinated by the Geneva Academy of International Humanitarian Law and Human Rights, as well as various submissions presented by treaty body members, national human rights institutions and non-governmental organizations. Now is the time to harvest those ideas and follow up on those that have the potential to sharpen, streamline and rationalize the treaty body system in a manner that brings concrete benefits to rights holders.

80. The Chairs of the human rights treaty bodies have stressed that the treaty body system should ultimately: (a) strengthen the protection of rights holders; (b) preserve the integrity of the treaty body system and the independence of both the committees and their experts; (c) enhance the implementation of treaty obligations and the related recommendations of treaty bodies; (d) balance the need for greater alignment of procedures and working methods with the specific mandates of each treaty body; (e) develop more predictable and coordinated calendars for examining State party reports; and (f) strengthen synergies within the treaty body system and with other human rights mechanisms.

81. In exploring various options, States, treaty body members and other stakeholders concerned may wish to consider the five parameters set out below.

Preserve the existing normative framework of the human rights treaties

82. There is a wide consensus behind the view that treaty body strengthening should be pursued within the existing normative framework and that proposals requiring treaty amendments are neither realistic nor advisable. A number of pragmatic ideas generated to date show that the treaty body system can be significantly rationalized in a lasting manner without the respective treaties being amended.

Prevent unsustainable growth of the treaty body system

83. By its very nature, the treaty body system will continue to grow with new ratifications, resulting in an increasing number of State party reports and communications requiring careful consideration and analysis. In order to prevent the demise of the treaty body system under the weight of unsustainable growth, the 2020 review needs to encourage improved, streamlined and coherent procedures and working methods for State party reviews, individual communications and other work, along with the provision of adequate resources.

Enhance compliance with reporting obligations

84. Reporting to treaty bodies is not an end in itself but rather a means for States to examine their own progress and challenges in meeting their human rights obligations,

[14] Since 1988, four major initiatives have been taken by the United Nations to enhance the effectiveness of the treaty body system: http://www.ohchr.org/EN/HRBodies/HRTD/Pages/TBStrengthening.aspx.

engage with national stakeholders in human rights dialogues and benefit from the assessment and recommendations of independent experts. Those goals are currently not being achieved in non-reporting States. In strengthening the system, therefore, ways to facilitate reviews of all States parties should be considered.

Advance coherence and consistency of recommendations and jurisprudence

85. Any sustainable strengthening effort should also advance coherence (see A/66/860, para. 2.3.5), consistency and complementarity of the recommendations and the jurisprudence of treaty bodies. This would strengthen the overall effectiveness of the system, including in areas where human rights treaties share similar provisions, such as those on non-discrimination and gender equality. It is important to create a common space for treaty bodies to reflect on jurisprudential developments in order to ensure that consistency.

Focus on membership

86. The uniqueness of the treaty body system lies in the wealth and depth of knowledge and experience that treaty body experts contribute both individually and collectively. The highest level of recognized competence and expertise in the field of human rights, together with high moral standing and independence, are required of treaty body members. The General Assembly, in its resolution 68/268, encouraged States parties to consider adopting national policies or processes with respect to the nomination of experts and to give due consideration to equitable geographic distribution, the representation of the different forms of civilization and the principal legal systems, balanced gender representation and the participation of experts with disabilities.

87. Very little progress has been achieved in establishing national mechanisms to open the selection of candidates to a broader competitive process and improve the gender composition of treaty bodies. The overall percentage of 44 per cent female to 56 per cent male members remains unchanged (annex XXIV) from the level reported in annex XVIII to the previous report. The membership of the Committee on the Rights of the Child achieved parity, and the Subcommittee on Prevention of Torture had 12 female members out of 25 members. The Committee on the Elimination of Discrimination against Women had one male member, and the Committee on the Rights of Persons with Disabilities had one female member (A/72/284, table 5).

88. The proposals made by the then High Commissioner in her 2012 report, in particular those concerning the nomination and selection of experts (A/66/860), remain valid and valuable in connection with the 2020 review.

V. Conclusions and recommendations

89. **The treaty body system constitutes a precious tool for the protection of human rights that is the foundation of all other human rights mechanisms, and it is relied upon as being authoritative by diverse actors worldwide. Resolution 68/268 produced transitional improvements, obtained in a cost-neutral manner through savings from within the treaty body system. The resolution was not designed to address all the challenges of the treaty body system, nor did it suggest a lasting solution to the issues the system faces. To address those challenges in a structured and sustainable manner, it is imperative to enhance the 2020 discussions in an open, transparent and inclusive manner.**

90. **The implementation of the resolution has been a mixed picture of progress and persistent challenges. Most of the challenges relating to working methods can be addressed by improving the modalities, and much has already been done**

in that area. It is also necessary to strengthen the role of the Chairs and to schedule the time necessary for Committees to discuss the agenda of the meeting of the Chairs and its follow-up, in the light of the discussions and findings of the Chairs. Stronger recognition of the Secretariat's essential role in supporting the work of the treaty bodies and the allocation of sufficient resources to enable them to function at the commensurate capacity are also required.

91. The resolution was an innovative attempt to rationalize the meeting time allocation and the corresponding human and financial resources. While necessary adjustments have been made in the time allocated to Committees, this has not been matched by the allocation of staff resources sufficient to prepare and participate in meetings and visits. Staffing resources sufficient for the proper completion of such work, as well as the work of the Subcommittee on Prevention of Torture, are urgently needed to ensure that the mandate of the resolution is met. Resources are also needed to ensure the webcasting of the public meetings of the treaty bodies and enhance the accessibility of those meetings for persons with disabilities.

92. Staffing and other resources are essential to ensure that treaty bodies are able to respond to an increase in workload resulting from other mandated activities, such as communications, urgent actions and inquiries.

93. The ability of the United Nations to continue to support Member States in meeting their reporting obligations and other requirements arising from the treaty body system is crucial in ensuring the promotion and enjoyment of human rights at the national level, as well as in fostering links between human rights and the agendas on sustaining peace and sustainable development, including by fostering linkages between the outputs of the treaty bodies and the Sustainable Development Goals.